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DISARMAMENT is the overshadowing issue today. Yet Congress dawdles on. Without drastic cuts in the ten-cipher appropriations for army and navy there can be no reduction of the tax burden and high costs under which the country is groaning. Yet Congress chatters and merely prunes trifles. While the maimed world gropes to rise from the abyss, the mill-stone which plunged it into unending catastrophe still hangs around its neck. Yet Congress continues to drivel about "a well-rounded navy," views with alarm, tiddles with "experts" about "coming types" of ships, guns, and air-craft. With the backing of Senator Borah and a few others, pathetically moderate proposals supply at least the preliminaries to the move which the world craves. Yet somewhere in the halls of Congress, between the introduction of bills and their passage, well-oiled brakes are applied. What are the powers that halt disarmament? This session will end in a few days with nothing accomplished. Cannot the duly elected representatives of the people sense the cry welling up in the hearts of the millions to call a halt to all this piddling and pruning, this hemming and hedging, this measuring and comparing, which overlooks the vital issue and gets us nowhere? Disarm! Let the expression of the popular will become thunderous. Not another dollar for new construction! Scrap, not build, should be the watchword. Let the common sense and the common peril of the world call for what the Congressional pettifoggers scarcely dream of—*competition in disarmament.*

ACTION by the Supreme Court of the United States setting aside the conviction of Victor Berger and four fellow-Socialists is a welcome sign of the changing spirit of the times. For even Supreme Court justices, with the notable exceptions of Justices Holmes and Brandeis, have not shown themselves able to live in an abstract world of legal justice untempered by contemporaneous popular prejudice, and there is little doubt that had the appeal been decided a year ago Berger and his friends would now be in prison. We may hope for more indications of a return to sanity. The ninety Industrial Workers of the World who were railroaded to long prison terms at Chicago without individual consideration of their cases were sentenced in the same prejudiced court-room under the same prejudiced and demagogic Judge Landis. By a curious coincidence, Attorney General Palmer recommended release of Eugene Debs, and Woodrow Wilson refused to act on the recommendation, on the same day that the Supreme Court handed down its decision calling for a retrial of the Berger case. His action only brings new proof of the isolation of the sick man in the White House from the American people and its new temper. Yet it was he who, on May 13, 1919, declared that he had "always been among those who believe that the greatest freedom of speech was the greatest safety."

IT is a hard life for an old man like Giovanni Giolitti, who, at the age of 78, is trying to steer a middle course between D'Annunzio's fanatical *fascisti* and the equally fanatical Communists and to bring the sorely tried Italian ship of state into a safe port. His proposed bill for reorganization of industry, promised at the time when the workers had seized and were operating the factories, is drafted, but inevitably it satisfies no one. It provides a new degree of responsibility for the workers; but the word "control" which so frequently creeps into the cable reports is an inaccurate translation of the Italian word *controllo,* which means merely supervision. The workers' councils which are to be elected in certain factories of certain industries will have the right to know how the capital of the firm is constituted, what are the profits, what the salaries of officials, etc., but not to control, in the English sense of the word, these matters. The organized workers, thoroughly radical in Italy, want more than this; the employers are bitterly opposed to granting this much. The exclusion of state-owned establishments, of factories employing less than sixty workers or less than four years in operation, from the working of the law, is another bitter bone of contention. And meanwhile the irresponsible Nationalist minority is busily engaged in burning down labor halls and sacking the offices of Socialist newspapers, as at Bologna and Milan.

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WITH Lord Dunsany under court martial, and Father Dominic, the eminent priest who attended Mayor MacSwiney, under a five-year sentence for "causing disaffection to his Majesty," with ambushes and arrests continuing daily, and Sir Hamar Greenwood's "custodians of civilized government" burning and demolishing according to the rules of "official reprisal," Ireland has been enjoying a period of merely normal activity. The English are seeking to prove their benevolence and forbearance, and Major General Strickland, Military Governor of the martial law area of southern Ireland, has explained that it is wrong to assume that every house within sight of an ambush is destroyed; "it is only when a resident refuses to give information, as many of them do, on the ground of Republican sympathy, or is known as a Republican, that we destroy his house." In the martial law area of southern Ireland it would seem probable that even with this limitation the forces of the Crown find ample scope for their talents. The resignation from Dail Eireann of Roger N. Sweetman, who has been advocating a policy of compromise and conciliation between England and Ireland, seems to put an end to any immediate hope of peace. We print in this week's International Relations Section a statement from "Æ" which shows how far England has gone in alienating the best men in Ireland. "Æ" is not a Sinn Feiner and he speaks not for the Republican cause but for the cooperative movement which he has nursed from its beginning and which he now sees being deliberately broken up and destroyed by England's army. Irish unity, if it exists anywhere, exists in the cooperatives, and England is doing its best to crush that possibility of union while it crushes also the economic life of the Irish people.

SOCIALISTS and Communists in Italy have followed the lead of their comrades in France and Germany, and split into separate parties. The doctrinaire Third Internationalists of Moscow who virtually ordered the split look to a withering of the Socialists and a strengthening of the Communists as the product of scission, but they may learn otherwise. The kaleidoscopic course of Socialist politics is indicated by the fact that Jean Longuet, who led the radical internationalists in the French party during the war, is now rejected by his own party, and forced to organize a new, more moderate group; and Serrati, who only last summer was elected a member of the Executive Committee of the Moscow Internationale, now finds himself read out of that body, and becomes a member of the Executive Committee of the Italian Socialist group which refuses to accept orders from Moscow. In Italy the Simon-pure Communists found themselves in a minority; in France the proportions were reversed, and the Communists had a two to one majority. The older leaders in both countries, those whose names are best known abroad, hesitate to avow Communism; but the fire and enthusiasm and definiteness of the Communist dream, while its violence repels the workers who are not party-conscious, carries with it those masses who think of themselves as revolutionaries.

OFTEN we have heard from employers and their publicity men of labor "agitators" who play upon the feelings of contented workers and rouse them to useless battle. It is strange to be told of an outside agitator projecting himself into the leadership of a group of employers, and stirring them into an anti-union fight which they did not want. But the charge comes from Dr. William M. Leiserson, who was impartial chairman presiding over industrial relations in the New York men's clothing market before the present lockout-strike began. Dr. Leiserson, in a full review of the controversy, reports that the difficulties were on the point of being adjusted when a lawyer notorious for his union-breaking activities was injected into the situation by a few disingenuous employers prompted by "outside influence," and that he maneuvered the association into an open break. "The employment of Mr. Gordon as counsel was not sought by the Market Committee. He was imposed on the committee by a small group. He is an eloquent agitator, and just as the I. W. W. agitator seizes on the disagreeable things in the wage-earner's life to stir up discontent, so he seized on the irritations caused by union members and business agents in the shops to stir up discontent and class feeling among the employers. . . . Nevertheless the majority of the manufacturers do not approve of his methods even now." Meanwhile, under Mr. Gordon's guidance, the Clothing Manufacturers' Association of New York has instituted a suit for the dissolution of the Amalgamated Clothing Workers of America in New York State, on the ground that it is an unlawful combination and a conspiracy.

"BUSINESS Revives in Many Plants," writes the alert copyreader of the Washington *Star*. "Clothing, Automobile, and Textile Workers are Busier." It is a pity that the frantic statesmen in Washington who so eagerly revived the moribund War Finance Corporation and stirred up a hasty emergency tariff, could not restore prosperity as facilely as this capable journalist. What do the Associated Press dispatches, read carefully, say? That in Baltimore 500 non-union clothing workers have been reemployed, while 19,000 union men of various industries remain unemployed; that there are, as the copyreader put it in a sub-heading, "1000 More Men Busy in Detroit"—making a total of some 50,000 automobile workers employed, with 250,000 out of work; that the carpenters of Shreveport, La., have voluntarily reduced wages (outrageous Bolsheviki, these labor men!); that the Akron rubber shops are not reopening as had been rumored; that 50 per cent of Chicago's clothing workers are idle; that some New England mills are reopening on half time with wages reduced. "Business Reviving," the *Star's* copyreader glibly scribbles, as he makes prosperity in the headlines. Would that the task of statesmen were as simple!

SENATOR JONES has created a mild furor by digging up an agreement, which to him and most other persons appears to be new, between the International Mercantile Marine and the British Admiralty, whereby the former, back in 1903, bound itself for twenty years "to pursue no policy injurious to the interests of the British mercantile marine or of British trade." In point of fact the agreement was debated in the British Parliament at the time of its inception, and has ever since been familiar to the shipping trade. That the United States Shipping Board was not aware of the contract is quite plausible, since that body has been unaware of many things going on about it, not to say within its own offices and among its own employees. Questioned by the Shipping Board in regard to the covenant, P. A. S. Franklin, president of the International Mercantile Marine, insisted that the company was "100 per cent American," and presented a list of shareholders, showing that 94

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per cent of the stock was owned by Americans living in the United States. At the same time he was obliged to admit that 87 per cent of the total tonnage was under foreign registry and subject to foreign requisition in case of war.

THE truth is that the International Mercantile Marine is, and always has been, amorphous in character. It does not represent the growth of an American industry, but is rather an instance of modern mushroom finance, one of several great coups executed by the house of Morgan some twenty years ago. A great group of foreign ships, with their operating and managing personnel intact, was brought under a single American control by the expedient of buying into the stock ownership. That is the only sense in which the great bulk of this tonnage has ever been American. In any event the point is sentimental rather than practical. A curious idea of "patriotism" clings to shipping which we associate with no other business. In reality there is no more national honor or advantage in the ownership or operation of shipping than of steel mills, oil wells, or wheat fields. Shipping, like any other industry, can justify itself only as it proves a benefit to its employees, its investors, and the public. Of itself, the American flag flying at the stern of a steamship means little more than the same emblem hoisted above a factory, a lighting plant, or a railway roundhouse.

THE illuminating housing inquiry of the Lockwood committee in New York State has run into one of those blind alleys of business-controlled politics which usually block such investigations when they threaten possible usefulness to the public and probable disadvantage to some financial interest. Samuel Untermyer, counsel for the committee, was allowed to expose graft in the building trades unions and to put Boss Brindell on trial; before anybody could stop him he also brought out some striking evidence of monopoly and of price control by makers and merchants of various building materials. When, however, he sought authority to investigate savings banks and insurance companies to learn why it was so difficult to obtain loans for building purposes, strings were pulled at Albany, and the legislative committees to which the question was referred reported against permitting any inquiry in that direction. It is said that opposition came chiefly from fire insurance and casualty companies which, having invested heavily in doubtful stocks, were much averse to letting their situation be exposed. The moral is that the public will never get far in eliminating any but surface abuses until it puts men who represent it into office, instead of continuing the regime of the two old political parties, which jointly and individually serve the privileged few as the price of existence.

FOREIGN exchange rate fluctuations recently have been particularly violent while appreciable improvement has occurred in the quotations for the British pound sterling, the French franc, and the German mark. With the pound sterling now above $3.80—nearly 80% of par—it is predicted in responsible quarters that 1921 will see a recovery to at least $4.00, while some experts hazard $4.50 as probable. But the United States has usurped Britain's prewar status as the world's chief creditor nation. Our 1920 foreign trade showed an excess of exports over imports of $2,950,000,000, a favorable balance only a billion dollars less than in 1919; incoming gold exceeded outgoing by $107,000,000, which contrasts with a $291,000,000 excess of outgoing gold in 1919; foreign governments still owe us nearly $9,600,000,000 which we advanced between April, 1917 and November, 1920, and on which we have received no interest to date although these accruals now total more than $700,000,000; and among the so-called "invisible" factors in our favor there is now income at an annual rate of about $1,000,000,000 from shipping freights collected on foreign-bound cargoes.

EXACTLY to explain the movements of exchange rates is as difficult as to determine definitely why the stock market moves this way or that. But it is noticeable that exchange rates, at this stage of the world's financial and economic readjustment to peace conditions, are depreciated most in proportion to the present degree of inflation in the various countries. In Italy, for instance, sky-rocketing expansion in note circulation, loans, prices, etc., is still raging, and the measure of these phenomena is the current lira quotation of about 3.65, or twenty-eight lire to our dollar. The lira has lost about 72% of its normal value. To Italy, however, this apparently ruinous depreciation in its currency is not without a bright side. A cable from Rome points out that Italy's present debt of 170 billion paper lire at the current rate of exchange is equivalent to something over $6,000,000,000, whereas, were the lira to return tomorrow to normal, this Italian indebtedness would represent close to $35,000,000,000. Some of Germany's astute financial minds have been and are moving heaven and earth to depress the quotation for the mark because Germany can thus undersell competitors engaged in exporting. It is obviously to German advantage to sell a bill of goods here and be paid in dollars which will now buy nearly sixty marks as against a par of 4.2 marks. Of course, in buying things here the German is handicapped. In Britain industrial deflation proceeds apace; imports are cut and every effort is bent toward increasing exports; plans are afoot to refund British debts to America and to stabilize or "peg" the pound.

HERE and there in the wicked world little nooks of purity persist. There is Zion City, for instance, no more than a tripper's journey from Chicago's breezy boulevards. Dowie was its Elijah and he has left a fit Elisha in Overseer Voliva, who sees to it that this little Zion entertains no alcohol, no nicotine, no cards, no secret societies, no profanity, no idleness, no Sabbath slackness, no Sabbath gasoline. The stockings of the females in that Spartan republic must be thick, their heels low, the necks of their gowns high, their skirts long, their shirtwaists inviolably opaque. Vaccination may not enter there, nor antenuptial tendernesses, nor chop suey, nor jazz. And like all nooks of purity, this one is militant. Not enough for Zionists to be pure and to lean out over the battlements of their own private paradise and to witness the wretchedness of that other world which wriggles in its sins. No, the Zionists go out, two by two, like the primitive apostles or like the primeval animals from the ark of Goodman Noah, to make the world different. Just now it is New York that interests them, and a pair of sober sisters of Zion are playing missionary in that fertile field. Well, as the Zionists probably say, you never can tell till you try; great oaks from little acorns grow; if you lift a calf every day you can by and by lift a cow; patience performs the only miracles; small beginnings make big endings; try everything once.

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Are Women a Menace?

FROM the beginning the League of Women Voters in both its State and its national organizations set out to be a "good" organization—good, that is, in the sense that the American Federation of Labor is good, or that the National Woman's Party is not good. It determined to be nonpartisan as a body, and partisan as individuals; to initiate and support measures of reform through the medium of the regularly constituted political parties; to avoid even the appearance of a "woman's party." It believed in tried and true methods of procuring untried and, from the conservative point of view, dubious changes in society. And although many of its members are good Republicans and deserving Democrats, the League of Women Voters placed itself squarely behind a program of change that included many measures not to be found in the Republican or the Democratic book of common prayer. So far, at least, women in politics appear able to support a gentle heresy without fearing the near approach of excommunication. But just as a new bishop may suddenly decree an end to all heresies in his diocese, so a new governor may frown on the undeserving in the political ranks. And Governor Miller has, with a frankness that deserves admiration, frowned all over the heresies of the New York State League of Women Voters and firmly excommunicated the League itself. At the annual State convention of the League, the Governor delivered an address in which he called it "a menace to our institutions" and used other words that should have a tonic effect on its membership.

Governor Miller's attack fell into two parts. He declared himself against all organizations outside of the regular political parties which seek to exert political power; and he opposed the specific social welfare program of the League of Women Voters. It is fair to entertain certain suspicions of a public official who opposes on general governmental principles the existence of an organization and then adds that he doesn't like its program. One is forced to wonder whether Governor Miller will oppose with equal vigor, as partisan and dangerous, such extra-party associations as the National Security League, or the National Association of Manufacturers; or, in New York, the Union League Club, which is certainly not a political party, but is admittedly political in its purposes, and partisan. We have not heard that Governor Miller has notified the Union League Club that good government and Republicanism would be better served if its members should disband.

But the League of Women Voters does not stand for the same principles as the Union League Club. It has never financed an investigation of bolshevism; it has never let an Archibald Stevenson loose in the land. Instead it has supported measures for the protection of maternity and infants, for direct citizenship for women, for equal obligations in jury duty for men and women, for measures that represent, not radicalism, to be sure, but enlightened liberalism and a desire for larger opportunities for women. The League of Women Voters, nationally and in the States, has pursued its objects by the methods that other organizations commonly use—by circulating literature, by enlisting the women's clubs, by speaking and lobbying. Dominated for the most part by those women who were classed as "moderates" in the suffrage fight, the League has never gone in for more militant activities; it has shunned spectacular tactics and has refused to be drawn to the support of any party or driven to the formation of a party of women. Its members have, it is true, flung their organized power against certain individual candidates whose record looked too black, and by doing so they have allowed an entering wedge of more militant activity.

Will they not need to go further? It is manifest that the women should not and can not form a separate political party. Women who agree on social welfare programs and equal citizenship rights may well disagree on the tariff and the League of Nations. But women have, unfortunately, certain jobs to do that will never be done through the direct initiative of the political parties. Until the citizenship laws are changed; until maternity is protected and compensated; until illegitimacy is abolished and the care of all babies assured; until birth control is legalized—until these questions and a dozen more are attended to, there must be a vigorous, nonpartisan organization of women. By his fearful opposition, Governor Miller has only emphasized the need. But such an organization must not be too squeamishly nonpartisan. It must force the attention of all the political parties upon its program and must be ready to threaten and punish and support. It will discover presently that as its power grows it will be met with the whole force of intrenched reaction. Governor Miller opposes the League of Women Voters not because he is "against the women," but because he is against change. Reactionism such as his is a well-rounded philosophy; the progressivism of the women will tend to become well-rounded, too, if it survives, and their tactics will have to equal in vigor the methods that will be used against them.

In the middle of this month the National Woman's Party will meet at Washington to decide what its future shall be. Temperamentally it is opposed to the tactics of the League of Women Voters. Hardened by years of persecution and militant opposition, the Woman's Party looks askance at an organization which protests its impartiality and exercises too much politeness. As a matter of fact, however, the two organizations stand for much the same program; they are the Right and Left of the political feminist movement. The League of Women Voters has got a headstart as a working organization, and with every fight it makes, every time a public official condemns it, the League is likely to become more resolved in its purpose, more radical in its methods. The Woman's Party, on the other hand, has equal political experience and organizing ability, and an amazing command of the columns of the American press. This ability to dominate popular imagination is useful in any public cause; and the leaders of the National Woman's Party are strategists enough to see that it should not be overdone. The organized women of the country should get together on a strong program of women's rights—which are nothing but human rights. They should stick together on that issue even though on other questions they fly as far apart as Republicans and Socialists. They would do well to study the tactics of the Nonpartisan League, which has made its innocuous name a symbol of enormous significance. Farmers may split on the tariff or blue Sunday laws—but they stand together on the question of farmers' rights! The women should do the same for theirs even though they may find life difficult within the fold of the old parties.

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Why Tariffs Will Not Stay Revised

THE President-elect has merely followed normal party precedent in promising to the interests that have waxed fat through the Republican sale of tariff favors a new deal which, for the public, is bound to be anything but a square deal. A tariff which the Democrats revised downwards under Mr. Wilson is to be revised as the McKinley tariff was written and the Dingley tariff was drawn and the Payne-Aldrich changes were made. Mr. Harding is not deterred by the example of what happened to Mr. Taft, whose praise of the Payne-Aldrich bill at Winona in 1910 sealed his political downfall. He could not see that there was a moral issue involved which was the mainspring of the entire political agitation of that period: "Thou shalt not enrich some at the expense of all."

There can be no permanent revision of the tariff, and despite many learned professors there can never be a scientific revision of the tariff, because its cornerstones are cowardice, greed, ignorance, and national selfishness. Since it is a law in restraint of trade, a tariff is bound to become odious. Because every form of tariff taxation, save that imposed for revenue only, is the extortion from the public of gratuities to favored interests, it is impossible to hit upon any set of schedules which will stifle public discontent. Inequality is certain to remain, as well as injustice; these are the twin snakes that inevitably coil about the cradle of a protected "infant" industry—ever a Hercules—menacing the industry itself as well as all affected by the tariff. For the selfishness of such protected industries as the iron and steel trades hurts those responsible far more than those against whom the tariff is aimed, as has repeatedly been proved by the revelations as to conditions in and about Pittsburgh, that highly-protected center of the industry.

To revise a tariff downward through tinkering with individual schedules at the suggestion of a tariff board is as valuable as attacking a cancer by slicing off a portion of the obnoxious growth. As for revising upward, that is merely giving the favored interests more room in the trough and bestowing more favors upon the privileged few at the expense of the whole country. Nor will it avail any politician to point with pride to an increased free list—hogs' bristles, works of art twenty years old, marshmallows, lifeboats, silk worms' eggs, stilts, skeletons, turtles, and leeches, as Mr. Dooley once described it—when he has sold to interested individuals the right to fix the price of a single necessity or of a single commodity. "A privilege," said Louis Kossuth, "can never be lasting." The new Republican tariff can never be lasting because it will be but further privilege of the rankest kind, and a privilege is as odious by any other name as by its own.

Curiously enough, we in America have been among the last to understand just what the tariff really means and how directly it is affiliated with many of the evils against which there has been a popular outcry. It has become difficult or impossible to tax one citizen directly to give bounty to another; to make by law one poorer and the other richer; to draw a class distinction along lines of trade. But legalized robbery through protective-tariff schedules is robbery none the less and its essential immorality is no more to be concealed than was that of slavery by all the State and Federal, legislative and judicial, safeguards with which the ownership of human beings was buttressed and fortified. When the essential equality before the law of all the citizens of this country is menaced by any economic system there is a state of war which can never be ended until that false structure comes crashing to earth. Every tariff does violence to democracy, and the increasing of tariffs was never less excusable than today when we are inextricably involved with the other nations of the earth in the chaos following upon the war. Never was free trade as much needed for the sake of peace, for the interest of producers and consumers the world over, for the sake of all humanity. It is the very time that the bars should be thrown down, when we in America are suddenly confronted with surplus products in search of a market.

The natural fruit of our own tariff at home has been an aristocracy of favor and of wealth. We cannot revise with justice any tariff which the Republicans may set up because a tariff is as far removed from justice as the moon from the earth, because no amount of science and no amount of skill and no amount of democracy can legalize tariff iniquity and corruption and the buying and selling of legislative favors. The natural fruit of a higher tariff abroad means additional suffering and difficulties for the stricken nations of the earth. The Republicans fool themselves if they believe that they may now revise the tariff and long enjoy the fruits thereof. It will react upon them to their political injury precisely as the Payne-Aldrich tariff grafting in 1910 led up to the Progressive movement of 1912.

Scholars and Their Bosses

PRESIDENT LOWELL in his report for the academic year 1919-1920 draws a valuable distinction between the university as properly conceived and the university as conceived by that majority of persons who can think of such an institution only in terms of modern industrial enterprise —that is, can think of the teachers only as employees of the trustees. The trustees of colleges and universities, says President Lowell, are in no such position. They do not represent private owners of capital in the universities, for there are none; they are not responsible for the making of profit, for in the obvious sense there is no profit to be made; they occupy no position of superiority with respect to the teachers, but are jointly engaged with them in the task of carrying out the functions and purposes of learning. "The best and most fruitful conception of a university or college is the ancient one of a society or guild of scholars associated together for preserving, imparting, increasing, and enjoying knowledge." And as to the governing board: "Its sole object is to help the society of scholars to accomplish the object for which they are brought together. They are the essential part of the society; and making their work effective for the intellectual and moral training of youth and for investigation is the sole reason for the existence of trustees, of buildings, of endowments, and of all the elaborate machinery of a modern university."

Trustees, indeed, according to President Lowell, are essential for three reasons: first, because non-professional elements are indispensable in the management of any specialized occupation; second, because there must be responsibility for financial administration; and third, because without some disinterested body to act as arbiters the depart-

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ments of a university would waste their time and strength in violent struggles for survival. Surely this is enough power for the trustees—that of being, on three grounds, the final authority. Yet in President Lowell's general position there is that admirable note of liberalism which he almost alone among American university presidents during the past five or six years has had the courage to strike. In effect he speaks for a sort of guild socialism in university administration. Where he comes to draw the line between the kind of jurisdiction the trustees of a university may exercise and the kind they may not, he enunciates a general principle which, so far as it goes, is thoroughly sound. "Laymen should not attempt to direct experts about the method of attaining results, but only indicate the results to be attained."

To the credit of Harvard—which means in large measure to the credit of President Lowell—the Overseers of late years have employed little of the tyranny which it has lain in their legal power to use. By comparison the trustees of Columbia, for instance, make a lamentable showing. It may, of course, be said of Columbia that that university has risked more than Harvard, by engaging teachers not so "safe" as the Harvard tradition demands, and has consequently found itself more frequently in hot water under the eyes of the public than has Harvard, where they order matters more discreetly. But the difference between these two sorts of universities may not unfairly be indicated by a comparison of the remarks of President Lowell here quoted with a sentence from the latest report of President Butler, who is engaged, as usual, in accusing liberal ideas, and those who hold them, of being merely mad. "With all the good will in the world toward an individual who might dissent from the multiplication table or insist that he had solved the problem of perpetual motion, the teachers of mathematics and of physics would not be able to find a place for him in their teaching ranks." Imagine President Lowell stooping to such an analogy!

The difficulty with the system of university administration as now constituted is particularly that it makes as much room for the Butlers as for the Lowells—and generally more. Trustees are as a rule more easily led than the public suspects. On most matters of policy they can be outargued by almost any one who is reasonably expert. But given the least encouragement from a president of the reactionary stamp, the cause is hopeless, for the trustees of American universities are overwhelmingly on the side of reaction and there they may be expected to remain as long as the present system prevails. They say, in self-defense now and then, that they have to preserve sanity and decency in their faculties, and to that end must now and then reluctantly lop off a liberal or radical professor. Well, a question or two will answer all that. What professor in a theological seminary heaping fierce reactionary wrath upon the head of progressive theologians has ever been disciplined? What professor of economics for upholding high protection or assailing the income tax or maligning socialists has ever felt the curb? What professor who during the war sang loud hymns of hate, raved at the enemy till he grew purple, or defended all the barbarities of war if practiced by the Allies, ever heard the restraining voice? Do these trustees really mean that sanity and decency are always in the sole custody of reaction? More voices than President Lowell's will have to be heard before much real humility will enter the head and bosom of the typical trustee.

Enter Trillions!

SOME day a French Prime Minister will stand up boldly before a hostile Chamber and tell the deputies that the reparations proposals of his predecessors have been glittering frauds, and that France will have to adjust herself to the fact that in this war there are no victors and that full reparation can never be made. That Prime Minister will be defeated in the Chamber; but his speech will shake France, and on the structure of his courage and honesty a healthy Europe may be built. Short of that there is no health for Europe. The proposals just launched by the Allied Premiers at Paris may seem to the historian of the future merely laughable unrealities; to the observer of present-day Europe they are an act of gruesome and deceptive cowardice. They condemn France to more paper financing, and the people of her still unreconstructed north to more chill delay; and they condemn Germany to more months and perhaps years of hunger and hopelessness.

These proposals are, briefly, for the payment of graduated indemnities mounting from two to six billion gold marks per annum, totaling 226 billion gold marks, or about $56,000,000,000, in forty-two yearly instalments. In addition Germany is to be asked to pay twelve per cent ad valorem on her exports, and to make no change in her customs regulations, nor seek to finance national, state, or municipal loans abroad without consent of the Allied Reparation Commission. This is the Commission which is at present engaged in the task of reckoning what Germany might be asked to pay in reparation for damage done if there were any chance that even a French statesman might think her able to pay it—a sterile exercise in higher mathematics.

Germany probably will refuse the proposals, and bargain for whatever she can get. They are not even in accord with the Treaty of Versailles, which, while it admits a higher total liability than any which can possibly be paid, instructs the Reparation Commission to draw up a schedule for payment within thirty years. No doubt the German diplomats will make the most of this departure from the letter of the treaty to demand other departures. But this proposed visitation of the sins of the old men of the passing generation upon children yet unborn is not the most distressing feature of the proposals; it is their cowardly unreality. French statesmen will admit in private that the sum is too large—translated into the current exchange value of the German mark, it runs the indemnity up into the astral realm of trillions—but they refuse to face facts in public. And when the Germans know that the things demanded of them are fantastic dreams, they are naturally not moved to get down to the harsh bread-and-butter task which we hope they will some day face, of paying all that Germany possibly can to compensate, in so far as that is humanly possible, for the ruins in northern France. French statesmen do their own people a cruel injustice. Such terms as those proposed can arouse only two moods in Germany: one of mere defiance, the other of hopeless despair; and neither conduces to the productivity required for reparation. Bullying gets nowhere; bullying with trillions as a war-cry only discredits the demand for disarmament of the eastern fortresses and of the security police which the Allies must and will press. The world is tired of symbols and ciphers; it needs frank facing of facts.

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Prince Kropotkin, Revolutionist

By ABRAHAM CAHAN

LONDON, January 29.—Prince Peter Alexeivich Kropotkin, Russian geographer, author, and revolutionary leader, is dead in Moscow, says a Copenhagen dispatch to the Exchange Telegraph Agency.—New York *Times*, January 30, 1921.

PRINCE PETER KROPOTKIN, anarchist and revolutionist, was a greater aristocrat than the czars who reigned in his time. They were Romanovs, while he was a descendant of the Ruriks, the first reigning family of organized Russia. As a boy he was a frequent visitor at the Winter Palace, and Nicholas I, the great-grandfather of the last of the Romanovs, was very fond of him. Later when he was old enough, he joined the corps of pages, and became a member of the large suite of the Czar's entourage. But even there he felt the ferment of his age, and the contagion of the revolutionary idealism typical of those days penetrated into aristocratic homes and military schools. The intellectual class of Russia, almost exclusively made up of children of the nobility, was coming under the influence of the ideas promulgated by the socialist critic Chernishevski. Those were the golden days of Russian literature when Turgenev, Tolstoy, Dostoevski, Pomialovski, Goncharov, and Chebrin were at the height of their success. Russian fiction was permeated by an idealistic conviction that the nobility owed a great debt of gratitude to the peasantry, and that they who have enjoyed education owed the fruits of that education to the people who had fed them, who had made it possible for them to go to school, to have leisure for writing novels, or for reading them. The formal abolition of serfdom had come in 1863, when Kropotkin was still in the corps of pages, but the peasant was far from being free. Economically he was still a slave, having been left without land. These intellectuals were aware that emancipation without economic resources was an empty phrase. These dreamers gave up the luxury of their families, donned peasant garb, mixed with the common people, taught them to read and to write. That was the movement known in the history of the Russian struggle as "going among the people." Its spirit pervaded Russian literature of those days.

Prince Kropotkin was caught by that spirit when he was a student. His experience as an officer in Siberia deepened it; it determined his abandonment of the career as a geographer which was opening to him; and his visit to Switzerland in 1872 brought him into vivid contact with the young international workingmen's movement in which socialist Marxians and anarchist Bakunists still associated. On returning to Russia he joined one of the propagandist "circles." He was arrested, and one of the most picturesque stories of his early life is the visit which Grand Duke Nicholas, brother of Alexander II, paid him in his cell. The Grand Duke asked, "How is it possible that you, a sergeant of the corps of pages, should mix with all these fellows, peasants and people with no name?" Kropotkin simply turned his back on him. There are few more dramatic stories than that of Kropotkin's escape from the fortress of Peter and Paul, the formidable dungeon devoted to political prisoners, as told in his "Memoirs of a Revolutionist."

He slipped away to England, then back to his watchmaker friends in Switzerland, and soon took a leading position among the anarchists of Western Europe. He was arrested again in France, and spent more years in prison. They were not the only days marked by keen physical suffering. Throughout, he led a life of privation, always at the heart of the idealist revolutionary movement. His home in London was the Mecca of Russian idealists. He made a living by contributing scientific articles to magazines like the *Contemporary Review*, and more strictly technical reviews. He also delivered lectures; like all educated Russians, he spoke several languages fluently. And like many other Russians in the movement, like his friend Stepniak, like Plechanov, he married one of the Jewish girls who threw themselves into the cause.

It is curious that both of the great leaders of European anarchism have been Russians, yet Russians of profoundly different types. Bakunin was in a sense Kropotkin's intellectual father, but he was a violent, angry, hot-tempered man. Kropotkin, on the other hand, was mild and meek, kindly, and his formidable beard was something of a joke to me. He was so warm-hearted and so naive in spite of being so wise, so full of learning. There is the same sort of naivete in all his pamphlets and speeches. Running through them is a childlike belief in humanity. The core of his doctrine was that you must not touch a fly on the wall, that you can leave everything to humanity, to the good will and good sense of the average human being. He did not believe in government because he believed that individuals, even today, under modern conditions, are too good to be in need of control. He considered humanity as a class of good boys who could be trusted, and to whom no discipline need be applied. As a natural scientist he was usually sound and often profound, but in his sociological doctrines he struck me as a man whose inherent kindness overcame ordinary common sense. He was a dreamer. I do not think that his literary criticism was great or important, but he was a born artist, his autobiography particularly containing many a page that might well bear the name of a Turgenev.

When it was reported that he was going to Russia, his native country that he had not seen for more than forty years, we all wondered what attitude he would take toward bolshevism. He never was a Socialist, and it was natural that he should find himself ill at ease in a state run under so rigid a system of discipline as Soviet Russia's. The basic doctrine of socialism and whatever science there is in Marxism as a clear-cut and thought-out system of government—all that ran counter to the make-up of Kropotkin. With human beings he was a dreamer and a poet, an idealist and a prophet. Being a man himself he could never become objective enough to apply the scientific method to other human beings. The stories of his ill-treatment at the hands of the Bolsheviki are not true. The last information that reached me was that in answer to an inquiry whether he wanted to leave Russia and had been refused a passport by the Government, he said: "I never meant to leave Russia. I have no reason to wish to leave Russia. My daughter, however, does wish to visit England, and she was immediately granted her passport."

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The Street Railways Tangle

By LOUIS BUDENZ

THAT bad boy of American city government, the electric railway problem, is once more disturbing the peace of Father Knickerbocker. When Governor Nathan L. Miller went before the legislature at Albany last week with a special message on the New York City transit situation, he stirred the Greater City to alarm at the prospect of losing the uniform five-cent fare.

The Governor's message contained some remarkable statements for these reactionary days. That did not serve, however, to reassure the car riders of New York City. He stated that he favored "ultimate municipal ownership" of a unified traction system—a goal which progressive forces and public-minded experts have been pointing to for a number of years. At the present time the transit lines of the city are carried on by about thirty-five separate operating companies. Most of these are now in the hands of the interests controlling the three big outstanding systems—the Interborough Rapid Transit Company, the Brooklyn Rapid Transit Company, and the Third Avenue Railway Company. But the financial condition of each company depends solely upon its own revenues and operating expenses, irrespective of the revenues or expenses of any other company. This leads to wastes in operation that help to plunge the companies into financial difficulties, and robs the car rider of the transfer privileges and improved service that go with a unified system of transportation. On several of the New York City surface lines this situation has led to almost complete paralysis. The Governor also pointed to the shattered value of the companies' stocks and bonds, and said that at this hour the public could well take advantage of this condition to drive home demands of its own.

But these were mere words, and the Governor's recommendations did not conform to them. He did not specify a means of unification that would be satisfactory to the people of New York City. The heart of his proposal would take away from them all power to decide the future of their transit service and the rates of fare charged. It would place absolute authority in a State commission of three to readjust or nullify all existing franchise contracts under the police power of the State. It is this authority, and particularly the control over rates, which the car riders do not wish to surrender. They voted the use of $250,000,000 of public money to the Rapid Transit companies in order to assure themselves of the five-cent fare. They went further, and contracted that they would not expect a return for the city on this huge investment until all operating expenses and the companies' own rate of return had been paid.

The news of this proposal, however, is not at all surprising. All over the country there has been a movement for increased fares, and for the elimination or readjustment of franchise contracts so that such increases could be made. New York is almost alone among the larger cities of the country in its continuation of the old standard five-cent charge. The street railways, not only in New York but throughout the country, find themselves in a bad way and are taking this means to secure a new lease of life. A little over a year ago, with almost unanimous voice, the representatives of this great industry confessed before the Federal Electric Railway Commission that their credit was gone. About the only exceptions were the electric railways of Cleveland and Philadelphia, the former of which was operating under the celebrated Tyler service-at-cost plan and the latter with the unique record of having gone through the war period with a straight five-cent fare. This, despite the fact that patronage on the transit systems had increased greatly during the preceding five years and that practically little working capital is needed in this industry because the revenues are collected before the operating expenses are paid.

Cities were demanding extensions and property was needing rehabilitation, and yet the companies could not induce capital to flow into the industry. Numerous companies had confessed bankruptcy and were in the hands of receivers. Others were struggling on the rocks. The war had brought about a crisis in the street railway business. The cost in material and labor had increased, and it was to this fact that the representatives of the companies laid the blame for most of their troubles. Motormen and conductors had always been among the lowest paid of any class of labor. With very little skill required for their work, there was a great shifting in and out of workers, with a consequent lack of effective trade-union organization. The war changed this condition radically. Labor became scarce and the street railway workers found they could demand much more than ever before. Strikes were won with great ease. The National War Labor Board, finding that the men were not paid a living wage, granted numerous awards, greatly increasing previous wage schedules. The cost of labor jumped up almost over night. In Cleveland, for example, from June 15, 1910, to May 1, 1915, which includes the first nine months of the war, the wages of motormen and conductors were 27 cents per hour for the first year and 30 cents per hour thereafter. In May, 1920, under a new agreement, the wages went up to 70 cents per hour for the first three months, 73 cents for the next nine months and 75 cents after the first year. The Interborough Rapid Transit Company stated in 1919 that wage increases made effective on that system during the three years preceding meant an increase of a cent and a half for each revenue passenger carried. The National War Labor Board took the only position which it found it could take and considered the wages as an operating expense of the industry, which it must award regardless of whether the companies could show that they were financially able to pay or not. The price of materials needed for the maintenance and operation of street railways also went up. According to testimony presented to the Federal Electric Commission the increase of this item was as high as 100 per cent.

That, of course, is only the beginning of the story. Other lines of business were faced with these increased costs and did not feel the pinch. The street railways had to face many other factors. For one, there is the increase in private automobiles and jitney bus competition. From Los Angeles, where the jitney business was first launched, to Newark and New York, the number of these cars has doubled and trebled with each year. In Newark, which is really a suburb of New York City and part of its metro-

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politan district, the number of passengers carried by jitneys, as reported to the city treasurer, increased from something over six million in the year ending May, 1917, to almost forty million in the year ending 1920. This means over one hundred thousand passengers a day and represents a big hole in the revenues which the street railway might expect. When the use of the private automobile is considered, the situation grows even darker for the companies. This competition in every city of any size runs into the thousands, meaning just that many passengers diverted from the transit systems. The Special Street Railway Investigation Commission of Massachusetts in its 1918 report states that privately owned automobiles in that State had increased from thirty-one thousand in 1910 to one hundred and seventy-two thousand in 1917. Of this number one hundred and forty-seven thousand were passenger cars, with trucks and vehicles excluded.

The war and the jitney were not, however, the chief causes of the companies' difficulties and of their lack of credit. These but served to bring to a head conditions that already had existed under the surface for years. The companies, by the admissions of their representatives before the Federal Commission, were suffering from the sins of their early days. In many cases the old sinners had not been converted, but had merely adopted new forms of vice. Those early days, when the wild oats were being sown, were the days of stock inflation and franchise grabbing. Street railway stocks and bonds do not have much value today because they do not represent actual property or actual earning power. They represent to a great degree the past capitalization of future hopes. An authority for this is no less a person than Gen. Guy E. Tripp of the Westinghouse Electric Company, chairman of the Committee of 100, which represented the American Electric Railway Association before the Federal Commission. General Tripp was frank in stating that the Metropolitan Street Railway Company of New York—which he assisted to reorganize—"was largely overcapitalized," and that overcapitalization was one of the chief reasons for the public prejudice against the companies everywhere.

The "water" represented by this overcapitalization has never been effectively squeezed from the stock of the companies in the great majority of the States. Massachusetts seems to be the only commonwealth that can claim to be a possible exception. In 1912 the street railways of the United States generally were capitalized at an average of $104,930 per mile, while the figure for Massachusetts was only $57,586 per mile. Yet, out of Massachusetts came the first cry for help, back before war time when the six-cent fare was first introduced. This was due, partly to overbuilding of lines into territories which could not support it, a favored pastime in the beginning of the electric railway business. It is also due to incorrect financial policies and bad management. But, perhaps above all, it is to be charged to another evil of even greater significance. This is the holding company, which is to be found in Massachusetts and in all other States, New York included. This arrangement has been devised to evade State regulation and to create overcapitalization in spite of the rather feeble efforts of State commissions to curb this source of weakness. Approximately 75 per cent of the public utilities of the country are controlled by these holding companies, according to the electric railways themselves. The scheme is inseparable from banker control and is the new method used to make the business a matter of speculation and not of transportation for service. When the early days of frenzied financiering had passed, and the tricks of Yerkes in Chicago, of the Central Traction group in St. Louis, and the Widener-Elkins-Dolan-Whitney-Ryan syndicate all over the country could not be repeated, the holding-company device was trotted out. Company on company is formed, buying out preceding companies, and levying tribute on the revenues of the operating companies in turn. Under the present state of our legislation, no effective means is at hand to get rid of these old men of the sea. State commissions are not empowered to deal with them, but only with the operating companies. The extent to which overcapitalization and bad management are responsible for the condition of many systems is strikingly shown by a comparison of the financial conditions of the New York Electric Railways with the Cleveland system. The ratio of total operating expenses to operating revenues of the New York companies ranged from 52 81/100 per cent in 1913 to 68 92/100 per cent in 1919; the Cleveland operating ratio ranged from 70 per cent in 1913 to 76 per cent in 1918. And yet, the Cleveland system has gone through the war with a five-cent fare or less, earning a 6 per cent return for its investors, while the New York companies were crying for help and showing fluctuating and uncertain returns.

With the bad boy as ill from overeating as the street railways confess themselves to be, what do the doctors suggest for remedy? The American Electric Railway Association has a remedy which it has pushed forward with vigor. This is the service-at-cost idea. It is proposed everywhere as a substitute for municipal ownership. The Public Utilities Committee of the United States Chamber of Commerce has indorsed it, various State conferences of mayors (New York's among them) have favored it, and the Federal Electric Commission has given it governmental sanction. Its essential points are a flexible fare, going up or down as the "cost" increases or decreases, a guaranteed return, and private operation under public regulation. The service-at-cost idea can be made effective through control by State commissions, using the police power to change rates. Or, it can be effected by local contract arrangements with cities themselves—the service-at-cost plan proper.

Both of these methods originated with opponents of the public utility companies. Both have now been adopted by the companies themselves, which have fallen back on rear trenches and now champion that which they formerly opposed. Through the former method increased fares have been obtained in 400 cities all over the country since the war began. The celebrated decision of O'Connell *vs.* Chicago, handed down in April, 1917, by the Illinois Supreme Court, has served as the tocsin cry for the street railways everywhere to launch an attack on the old franchise contracts under which they were obliged to charge only a five-cent fare or less. The theory of the use of the police power in this connection is this: the safety, health, and convenience of the public depend on the continuous operation of the street railways. The railways claim, and make show of proving, that they cannot give the necessary service under the lower fare. Therefore their rate contracts are against public policy and should be abrogated. It was this point which Governor Miller stressed in his message. As early as 1914 an extensive study by the Minnesota Home Rule League showed that the State com-

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missions were more inclined to grant "relief" to the public utility companies than to reduce rates for the public. During the war this tendency was increased, and has reached such a point in New Jersey as to lead to the removal of the commissioners by the Governor for alleged misfeasance in office.

Service-at-cost by arrangements with cities originated in Cleveland in 1910, concluding Tom Johnson's long fight for a three-cent fare. It has spread rapidly since, being adopted in Dallas, Montreal, Cincinnati, Rochester, and other places. Toledo's name was added to the list on Monday, January 31, after a fifteen year's controversy between the city and the company. The State of Massachusetts applied it to the Boston Elevated Railway and Bay State Street Railway Systems in 1918, under a system of public operation through State trustees. In Cleveland it worked well during the war, but has since begun to show signs of weakening. In 1919 the company requested that the 6 per cent return which had been guaranteed in the contract should be increased to 7 per cent. An Arbitration Board agreed with the proposal, but the citizens voted it down overwhelmingly in a referendum election. The company now declares that this defeat spells disaster. In the Cleveland plan there is a limit over which the fares cannot go, but in most later plans this limit has been dropped. In the Cleveland plan, also, the capitalization was cut deeply. In subsequent plans this has not been done.

In other words, the companies have used the success of the Cleveland idea to secure the adoption elsewhere of a caricature of it which gives them all that they desire and guarantees but little to the cities. In the Jenks bill, for example, introduced at the request of the companies in the 1919 session of the New York legislature, the rate of return was fixed at 10 per cent. Numerous provisions were also incorporated which would have seriously handicapped the cities had the bill passed. Even in Cleveland, the city officials maintain that the company has a tendency to overlook efficiency in service, because its return is always guaranteed under the contract. Such incentive as is secured from private operation is destroyed by this guaranty. Also, the arrangement has been found to make almost impossible the needed expansion of new lines into new territory.

But now a new dilemma appears, or rather a series of dilemmas. In order to show cause for increasing rates and to secure an O.K. on their inflated stock, the companies attempt to prove sky-high valuations. They are no longer satisfied to have commissions or cities agree that the valuation on which they should earn should be based on present high prices of materials instead of on what was really invested in the property originally. They have now come forward with a claim that in their valuation should also be included much of the value which they have created in the community. This reverse single-tax idea is contained in the valuation report of the American Electric Railway Association and was solemnly put forward in the recent hearings before the New Jersey Public Service Commission. They want no limit to their valuation in order to assure an unlimited increase in rate. In fifty cities this rate now stands at ten cents, and one hundred and forty-one cities will be added to the list in April when all the New Jersey municipalities served by the Public Service Corporation will enjoy that new rate. This unbounded claim for unlimited valuations, which step by step is being recognized by the State commissions, is also making nil the possibility of public ownership by purchase, and is nullifying those provisions in franchises which were thought to be real safeguards for the public—the guaranty of the right to purchase on the part of the city. It is here that the companies' troubles begin anew. Their efforts to blow up the values of present securities only make more difficult the effort to secure new credit. Cautious investors will not put money into an industry which is already giving to the present investors more than the physical plant can produce. Each sanctioning of higher capitalization by commissions or cities makes the effort to secure more capital more difficult. That is dilemma No. 1.

Dilemma No. 2 is more serious. Dr. Delos F. Wilcox, in his analysis of testimony for the Federal Electric Commission, threw interesting light on this. He obtained data from systems which carry more than 75 per cent of the passengers carried by the street railways of the country, showing the effects of fare increases on their traffic and revenues. What does he find as a result? That in thirteen cities, which showed an average fare increase of only 4/10 per cent, the traffic increased 15 per cent and the revenues nearly 16 per cent. In eleven cities, whose fares increased 6.33 per cent, the traffic increased 10 per cent and the revenues 18 per cent, while in 29 cities, whose fare increased 17 per cent, and in 15 cities, whose fare increased 41 per cent, the traffic increased in the one case only 6 per cent, and in the other decreased 7 per cent, while the revenues increased 25 per cent and 30 per cent respectively. This means that as fares increase the companies cease more and more to exercise their functions as public utilities. They no longer serve all the public. It also means that there is a limit beyond which fare increases cannot rise, to produce a profit for the investors. There is such a thing, even in this game, as killing the goose that laid the golden egg. No way has yet been devised by which the companies can compel prospective patrons to quit striking against their rates and to ride on the cars.

With the sky limit claimed by the companies in capitalization, in rates, in rate of return, and in fares, and yet with no permanent relief in sight for them as a result, either in obtaining credit or in placing them on a basis where they can serve the public—what is to come next? Dr. Wilcox suggested to the Federal Electric Commission in an exhaustive analysis of the testimony before it that municipal ownership was the only way to get credit and to make the railways real agencies of public service. The Commission complimented his analysis, turned down his suggestion, and found that they could not print it for public information. Instead, they fell in with the companies' claims as far as a suggested program is concerned. But a solution on the basis of municipal ownership, none the less, appears inevitable. Needless to say, under such ownership they will have to be and can be protected from the corrupt rings which usually dominate our municipalities.

Indeed such rings generally derive their sources of strength from the financial groups interested in the private control of municipal utilities. The public ownership of the local transportation system would lead to a deeper interest on the part of the citizens in securing the proper men for public office. The great improvement which has come about in city water-works over the country since publicly acquired points eloquently to the possibilities of such action in unraveling the street railway tangle.

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The Alternative to Revolution in England

By HAROLD J. LASKI

London, January 8

FEW statesmen have so far realized how far-reaching is the challenge that has been flung to existing institutions. A century ago revolution was discredited by the defeat of its legions in the field; today revolution is the consequence of defeat. And it has come at a time when the dominant mood is one of suspicion and disillusion. The classic structure of representative government is everywhere in disrepute. The industrial organization of even the victorious Powers is, at the best, in dubious case. No working class the world over believes any longer in the principles of prewar civilization. That to which we are driven is at the least a revision of our foundations.

That revision has, broadly speaking, taken two forms. With Russia it has assumed an attitude of complete denial to the whole ethos of the social order. It demands a world-wide catastrophe that the evil thing may be torn up by the roots. Whatever the difficulties of transition, they are accounted nothing beside the wickedness of the existing system. With others as, in the main, with English labor, what is demanded is less catastrophe than revolution by instalment. The experimental nature of social policy is admitted even while the premise of ultimate revolution is affirmed; and there is a momentary willingness to engage in piecemeal revolution as long as the proof of consistent movement can be proffered.

It is the main tragedy of the present time that it is becoming increasingly difficult for that proof to be given. The Peace of Versailles has disintegrated Europe, and to the defeated nations it has offered no prospect save the vision of deepening despair. France is the parent of a reaction of which the deliberateness does not conceal the insanity. Germany has the alternative of economic subjection or civil chaos. Austria is being rapidly destroyed. The Latin peoples of the South tremble each instant upon the precipice of revolution, and if America be at the moment financially sound, it is patent to every observer that she has merely postponed without averting the problems she will ultimately have to face. With financial chaos and industrial revolution the proletariats of Europe and, not remotely, of America, face a condition in which the price of supporting existing institutions may well be the surrender of the safeguards they have evolved for the protection of their standard of life.

Nor are we ourselves in much better case. The idealism of the war has everywhere disappeared; and the wanton cynicism of our policy is only the more apparent the more closely it is scrutinized. Deliberate terrorism in Ireland; a reckless and unconstitutional imperialism in the Near East; Egypt and India seething with a sullen discontent: these are the inevitable prelude to a tune of domestic misery. We have destroyed our best market in Europe; and a tenth of our population stands as a consequence upon the brink of starvation. We discuss the technique of naval warfare and subsidize the industry which is to supply the poisoned weapons of the next international struggle; meanwhile we tear into pieces that lone educational reform from which some measure of enlightenment might one day have come. The House of Commons has ceased to influence the course of policy; and the Prime Minister has ceased to pay it even the hypocritical homage of an interested attendance. The Cabinet has dissolved into a discrete series of committees; and in full meeting it is less a Cabinet than a levee. Our institutions, that is to say, at the one moment when their vigorous function was essential to our well-being, are neither intelligible nor active. Our policy is not the child of public need, but the creature of private interest. Nor does the mischief stay in the political field. Religion has ceased even to interest the mass of men; and the ethical sanctions upon which social conduct was once based suffer destruction at the hands of their own priesthood.

All this, perhaps, would be less urgent than it is if it awakened in the peoples of Europe some sign of creative opposition. There was indeed a moment when that seemed likely to be the case. In the last years of war the British Labor Party undoubtedly awakened a flame of eager idealism. But that has largely died down; and in the most undistinguished House of Commons since the days of George III their protagonists cause no ripple of dismay. The forces of positive movement seem, therefore, dumb. They wait upon the actions of those who deepen the suspicions and sharpen the hatreds of those by whom our civilization is being challenged at its source. For, after all, the cement of civilization was mutual respect for ideals; and no man with an instinct for right can respect the blustering insolence which Mr. Churchill calls a creed. We are led, accordingly, to disaster; and the protest made is always too weak or too late to affect an audience wearied beyond effort of calls to an active idealism which has materialized into nothing.

In the general result, we are unfortunately today moving swiftly to a stage where Moscow, and Moscow only, can offer to the peoples a policy that will be intelligible to their situation. Lenin and his coadjutors may seem to most of us little better than the facile architects of ruin; but ruin after all is historically no more than the eldest child of despair. And beyond the ruin that they promise there is, however remotely, the prospect of an ultimate creativeness which to any people disillusioned of the present order must inevitably become attractive. Disguise it how we will, there is to the credit of Moscow achievement of which the workers have taken a conscious, even a proudly conscious, note. And whenever despair has taken root, the missionaries of Moscow have preached to a willing audience. If they have failed to capture the working classes of Europe at least they have divided them. Nor do those who enlist under their banner recant; so that if the advocates of reaction press too far, it may well be that the division will be forcibly healed in the interest of a united front. The prospect of a victory for Moscow must be faced by anyone who takes a candid view of the present temper.

Nor are the means of defeat obviously at hand. We have tried the experiment of conquering Moscow by force of arms; and not even alliance with every sinister and dishonorable element in Europe has proved successful. The reason is simple enough. Moscow represents an idea; and ideas can be destroyed only by ideas. The answer to Moscow is not the bayonet, but the proof that the present order is capable of adaptation to new hopes and new demands. In England, for example, Prussianism in Ireland and a delibe-

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rate subservience to selfish economic interests is no answer; yet it is all of which the present Government has proved itself capable. That an alternative policy is possible may be a legend, but it is a legend to which men will cling the more desperately the greater the shrinkage of their hopes.

In all this there is room for a creed of splendor if men could be found to preach it. The old liberalism is dead in any creative sense. To live again it must be reborn in terms of an age which has made the period of war already seem antiquity. It must realize that what is definitely challenged is a concept of property and it must transform that concept to meet a novel situation. Broadly the prime need is equality and a faith among the masses that those who preach equality genuinely conceive it in terms of the happiness of common men. It involves a society in which wealth is derived from service only and so distributed as at no point to confer power over the lives of other men. It involves also the abolition of the impersonal power of capital and its replacement by the common direction of those engaged in service. It will dissolve the legal subtleties by which the present social order has been maintained. The technique of such change is obvious enough. What the working class demands is the proof that a new spirit is abroad. It desires the translation of that spirit into the terms of a concrete experiment.

If the Liberal Party were today to demand as a party the nationalization of the mines it would introduce a new spirit into the temper of our public life. It might offer to caution all the hostages it pleased. It might insist that the industrial revolution be spread as with the franchise over two generations. It might insist that the coal mines be the test upon which the socialization of industry be judged. Any party today which can by its policy demonstrate that the present institutional system is capable of life is assured of warm support. It may experiment slowly and even with skepticism. But let it once display that temper which is willing to investigate novelty, and the sullen acquiescence of the present time will be changed into an eager demand for the dismissal of this Government.

And that is the sole condition upon which the policy of Moscow may be contemplated with equanimity. "Reform in order that you may preserve" is, as Macaulay said, "the watchword of great events." But reform does not mean protest; reform means innovation. When men contemplate without emotion the destruction of time-honored institutions it is no moment to spend energy upon eulogizing them. Events far greater than ourselves are enforcing the adjustment of our perspective. The world, inevitably, is to be a different world. We shall not long be given the present opportunity to be the molders of that difference.

Crime Waves and Remedies

By GEORGE W. KIRCHWEY

THERE must be more than one kind of crime wave, though I know only one—the kind that I find on my visits to The Country Where Nothing Ever Really Happens But Where Everything Is Possible. There it is, the most blood-curdling crime wave you ever dreamed of (I mean, there it is if you go there to look for it), with hold-ups happening every minute just around the corner, and guns popping and sinister automobiles racing by till you lose your breath, with master-minds calmly managing everything and the most wonderful French detectives insouciantly appearing and looking right through everybody.

You needn't be afraid to ask anybody what it's all about. Everybody will be glad to tell you. One will assure you that it's the rotten drink, another that it's the last resort of generous spirits who miss the stuff; one will declare that it's the natural reaction from the hardness of military discipline, and another that it's what you might expect from the softness of the laws; one is convinced that it's only the Christmas spirit run riot, and another will swear that it's all due to old Tom Osborne. This will puzzle you till you are told that old Tom Osborne is a chap who messed things up once by—well, by messing them up. As this is the country where everything is possible you will have no difficulty in believing all these explanations, but as it is also the country where nothing ever really happens, of course nothing is ever done about it and the crime-wave just keeps on waving till you wake up.

After this thrilling dream it is a bit disconcerting to find one's self back in the old familiar world where something is always happening and nothing is really possible; where instead of the lurid melodrama that enthralled your senses, there is the usual kind of sordid criminality going on and everybody proposing to do something about it. It is even more disconcerting to find that what everybody is proposing to do is what they have always been doing and with no perceptible effect on the wave of crime that rolls on unceasingly—only more of it. They know of course—at least the judges, who are the leading Do-Somethings, know—that this business of increasing the phantom terrors of the law has been tried again and again and that it has failed as often as it has been tried; that the more horrendous they make their phantom terror look, the less power it has to ward off the evil spirits. And the reason is only too obvious. *It doesn't make good.* And nobody knows this better than the judges, unless it be the criminal gentry. The great mace of justice is held aloft to smite the wrong-doer, heavier and more unwieldy than ever, and ever and anon it falls and strikes down a victim. The evil play goes on in its portentous shadow and again it falls and strikes, and so on *ad infinitum.* It is a great and terrible game, but is it anything more? How can a terror be a real thing, an actual force for restraint, that strikes only one in five or one in ten of those at whom it is aimed? It takes some nerve to pull off the jobs that are daily and nightly being perpetrated in our crowded streets. The hold-up man and the burglar take their lives in their hands every time they ply their trade and, whenever necessary to accomplish their purpose, shoot and risk the electric chair. Is it to be expected that the lengthening or even the doubling of an unlikely term of imprisonment will worry such as these?

If punishment for crime were certain or even probable it would be another matter, but in that case there would be no need of increasing the term of imprisonment; generally a year or two would be enough and in most cases more than enough. But let us look at the figures. Mr. Raymond B. Fosdick, in his recent work

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on "American Police Systems," quotes statistics which should make very interesting reading for our judges. In New York City in 1917 there were 236 homicides reported (how many there were in fact we have no means of knowing), 280 arrests and 67 convictions, of which nine resulted in death sentences. There must be more than one screw loose in the machinery of justice. When President Taft in 1909 declared that "the administration of criminal law in this country is a disgrace to our civilization" he wasn't referring to police delinquency nor to the ethereal mildness of our present penalties (illustrated in New York City the other day by a sentence of 30-60 years for robbery) but to "the failure of the law and its administration to bring criminals to justice." I suspect that ex-President Taft in this year of grace would beg the judges not to despair of the law they already have before they have really tried it on. In 1917 there were 19 premeditated murders committed in London. Three cases remained unsolved, five of the accused committed suicide, eleven were arrested and eight convicted. Our system of penal justice is substantially the same as that of England but with what a difference in its administration and results. The technicalities, delays, and appeals which attend the processes of criminal justice in this country have so outgrown their original purpose of safeguarding the innocent that they have become the chief reliance—in numberless cases the sure reliance—of the guilty. If our judges were to take advantage of the present popular interest in the subject by securing and enforcing as swift and simple a procedure in criminal cases as that which the English bench and bar have developed they would be getting nearer the heart of the problem—as near to it, that is to say, as any system of punitive justice can hope to come.

What is becoming clearer every day is that no system of punitive justice, however drastic and however efficiently administered, gets us anywhere. It punishes a larger or smaller percentage of evil-doers, it drives others to cover, it may even have the effect of discouraging an unknown number from yielding to their criminal impulses, but the fact remains that in every civilized community crime, in quantity and in its worst forms, continues a constant or an increasing menace. Doubtless there are people who regard this condition of affairs with a certain satisfaction. These are the folk of a legalistic turn of mind, who can see no form of social control but force and no power for personal control but fear; who believe that this indissoluble union of States is kept from flying apart in fifty separate fragments by the nine learned gentlemen who compose the Supreme Court at Washington, and that the five and one-half millions of people comprising the city of New York are kept in the service of law and order and religion and decency by Commissioner Enright and his 10,000 policemen. To such as these, our system of punitive justice is vindicated by the fact that we do not all of us fall to shooting and robbing or at least to mauling and cheating one another. For the benefit of these people—that they may sleep o'nights—let us keep up this heavy-handed justice that acts—when it acts at all—too late, and meanwhile turn ourselves to the study of our problem.

I suppose it is safe to say that in no other sphere of social control have we proceeded as ignorantly and yet as confidently as we have in the sphere of criminal legislation. Our sanitary code is based on a body of scientific knowledge regarding the nature of infectious disease and the conditions which make for its spread. Upon what body of knowledge concerning the nature of crime and the conditions which cause it to spread in the community is our penal law based? We have thought it worth while to study the mental and social conditions that have made for the survival of the war system in our international life, and we are striving to devise a solution in accordance with the conceptions to which that study has led. In the same way we are by patient investigation of causes seeking to find remedies for the inhuman and wasteful industrial conflict which is paralyzing our productive energies. But when it comes to this civil war which crime has for ages been waging against the very foundations of our social order, here and here alone we are content with assumptions—assumptions as to the nature of the criminal, assumptions as to the conditions that breed crime, assumptions as to the deterrent effect of legal penalties—some of them as old as paleolithic man, some of them incrusted superstitions derived from outworn theologies, and all the while we have the vast material for a scientific study of the problem right at hand in our hundreds of penal and correctional institutions.

What Freudian stuff is there in our social psychology that has put an anti-scientific taboo on the business of dealing with crime and has kept us all this while, deep in the heart of this scientific age, muddling with it by the primitive methods of trial and error? Isn't it about time that we stopped guessing and legislating to fit our guesses and turned our energies to the accumulation of knowledge wherewith to light our way? Is it a subconscious dread of what this light will disclose and its possible threat to the sacrosanct system which finds expression in our present penal code that makes us wary of embarking on such an enterprise?

Professor Roscoe Pound, in his address on The Future of the Criminal Law, delivered at the recent meeting of the American Prison Association, commenting on the alternations of severity and mildness that have characterized the legal attitude toward the criminal—the excessive solicitude for the technical rights of the accused, followed in a time of transition and unrest by "an orgy of drastic penal legislation"—says:

> Surely we are not bound to go on forever in the vicious circle of the past. We are told that the native inhabitants of British India, holding that disease is an infliction of the gods, not only refuse to take sanitary precautions of their own accord, but resent the precautions to which the British Government compels them. To them an epidemic is a natural phenomenon as much to be left to itself as the succession of day and night. We have been treating criminal law in much the same fashion. . . . Scientific study of law is no less important to the community than scientific study of medicine. Few diseases threaten civilization more persistently than the manifold forms of anti-social action that we call crimes. Some part of the millions that are annually devoted to study of the former might be made to yield rich results if used to endow study of the latter. The faith in legislatures that leads us to commit this subject to time and chance is as naive as the faith of the Hindu who, when an epidemic of cholera is raging, can see no harm in using the same tank for drinking purposes and for bathing and washing his clothes.

If we may venture one more guess, before dropping the guessing game entirely, it is that the knowledge of criminality that will be won by research will open more promising ways of combating the evil than that of punitive justice. As medicine, through the systematic accumulation of knowledge regarding the nature of the human body and of

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disease and disease-breeding conditions, has in the last generation shifted its emphasis from cure to prevention, so, it seems safe to predict, will any real knowledge of the criminal and of crime-breeding conditions bring the saving forces of society unitedly to a direct attack on the sources of the evil. Here, too, as in medicine, it will be found that an ounce of prevention is worth a thousand pounds of cure, especially of such cure as our penal system affords. And let no one fear that our judges will awaken from uneasy dreams to find their occupation gone. It must be that offenses will come, and there will be weal or woe for him by whom the offense cometh, and not less for the community whose "peace and dignity" he has outraged, according to the insight and intelligence with which he is judged. Working from knowledge and no longer from unverified assumptions, the courts will become an essential and, happily, an effective part of the larger process of social control. Beginning with the juvenile court many of our courts of criminal jurisdiction have already become or are by way of becoming delinquency clinics, whose chief concern is the safeguarding and restoration to normal life of the youthful offender through the painstaking study of his personality and of the mental and social conditions by which he has been molded to what he is. Here are the hopeful beginnings of a new era in criminal legislation and practice, which only needs the wisdom that comes not by inspiration, but from wider knowledge to transform our entire system of punitive justice into one of preventive and remedial justice.

Labor Finds Out for Itself

By EVANS CLARK

THE anti-union campaign of the Philadelphia Chamber of Commerce has been a great thing for organized labor in Philadelphia—at least in one respect. It has forced labor to find out for itself some very useful facts. What labor has found out in Philadelphia it will find out elsewhere. Of that there is little doubt. Philadelphia labor has found out that the textile mill owners of that city in the year 1918 could have paid an average wage of $1,632 to the 60,500 workers in the mills and at the same time could have reduced the price of their product 21 per cent in one year to the public and yet made 6 per cent return on the capital invested in their business. Philadelphia labor has found out that instead of this, the mill owners in 1918 were paying an average wage of $792 per year to the workers—$840 less than the minimum amount necessary to maintain a family of five in health and decency —were boosting prices some 210 per cent above the 1914 level, and pocketing for themselves profits that were approximately 117 per cent of their invested capital.

These facts are useful for labor to know, especially when it is faced with lockouts, reduction of wages, and mass attacks on its organizations. This is precisely what labor has been faced with in Philadelphia. The Chamber of Commerce early in the fall announced its 100 per cent allegiance to the open shop, "American" plan of personnel management. Long stories were carried by the Philadelphia papers praising the virtues of doing business that way. Soon after, the textile mill owners, most of whose plants had been shut down completely for weeks and even months, began to announce that they would reopen the mills with wage cuts of 20 to 30 per cent and that they would take back their employees as individuals, but not as members of any union. Long standing wage and shop agreements between manufacturers and labor organizations were not renewed, although the unions themselves urged the continuance of peace by mutual agreement in the industry. In short, the mill owners, encouraged by the stand of the Chamber of Commerce, declared war on union labor.

Labor was quick to rally its forces in defense. The Central Labor Union, embracing representatives from all local unions affiliated with the American Federation of Labor, elected a committee of 25 charged with the duty of maintaining the ranks of organized labor against the attacks of the employers. As the textile workers were bearing the brunt of these attacks the Committee of 25 came first to the aid of the textile organizations and ordered an investigation to find out how the textile industry was run and what excuse there was for the action of the owners of the mills.

The picture which the report of this investigation presents of the textile situation in Philadelphia is the picture of the employers intrenched in financial security using a period of temporary business depression to beat down wages —never high enough to give the workers the least financial security; and to break up the organizations by which the workers have raised their standards of living to the inadequate level already attained.

Philadelphia is the largest textile center in the United States, producing twice the volume of goods of its nearest competitor—Lawrence—totaling about one-quarter of the total output of the entire country. The mills, however, are mostly family affairs: close corporations or partnerships that have come down from father to son since the time when the English mill owners founded the industry there in the early 1800's. The workers, too, have come into their estate in much the same way. Most of them are sons of mothers and fathers who worked in the mills. Most of them are Americans born of Scotch-Irish and English descent. Only 14.8 per cent of the 60,500 are foreign born.

What the heritage of the owners and workers has been, however, the figures show in concrete terms.

The wage of the average textile worker in 1915 was only $411 per year—$542 below the minimum amount necessary to support a normal family in health and decency at that time. In 1919 the average wage had increased to $943, but the prices of necessities had increased faster and the living wage level had reached $1,803. In other words, the textile workers were $328 farther from the possibility of healthful and decent living in 1919 than they were in 1915. The year 1920 only made things worse for the workers. The living wage level climbed to $1,988, but the wage average dropped to approximately $900. Complete figures for 1920 are not available, but investigation among the textile workers reveals the fact that 1920 wages were considerably less than 1919 owing to the shut-down of the mills in the late summer and fall and the consequent widespread unemployment. From 80 to 90 per cent of the workers are out of work at present. The universal story is: "We haven't had such hard times for ten years as we have today." The situation for the workers is highly critical. They are already suffering from serious under-nourishment, lack of sufficient clothing, and wholesale evictions from their homes.

The mill owners, however, have prospered vastly during the past few years. The exact figures are secrets jealously

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guarded, for obvious reasons, by the manufacturers. From operating income and expense figures available in State records, however, a close approximation can be made. In 1915 the total net profits of the 605 plants were $30,169,700 —36 per cent on invested capital and 28 per cent on cost of production. In 1916 profits jumped to 73 per cent on the capital; in 1917 to 89 per cent, and in 1918 they totaled, for 636 plants, $148,235,700 or 117 per cent on the capital and 81 per cent on cost of production. The 1919 figures were slightly lower—95 per cent on capital and 59 per cent on cost of production.

In the five-year period for which complete statistics are available the average net profit per plant had increased 327 per cent, while the average wage increased but 128 per cent.

Perhaps the most interesting figures are those which show the amount of wage increases which the mill owners might have granted the workers had they shared their prosperity with those who helped create it, and how much prices might have been reduced if the mill owners had been content with only a "fair return on investment." In 1918, for instance, the mill owners might have given each worker an average wage of $3,949 or about $62 a week for 52 weeks and yet have had enough left out of the profits of that year to keep for themselves 6 per cent on the capital they invested in their business. In other words, the mill owners might have lifted the workers well over the health and decency level into a wholesome and normal life. Instead of this, however, they pocketed among themselves some $148,235,000 and gave each worker $792, or about $15 a week. Or, as stated before, the owners might have raised the wages of the average worker merely to the living wage level of $1,632 and then have reduced the price of textile products to the consumer an average of 21 per cent and still received their six per cent in dividends. As a matter of fact clothing in Philadelphia advanced in price, according to the United States Bureau of Labor Statistics, some 40 per cent during the year 1918.

The Philadelphia textile workers have long suspected the mill owners of responsibility for most of their troubles. Every time the weekly pay envelope produced less than enough to buy the childrens' stockings and suits the mill owners were blamed in a general way for both horns of the dilemma. The mill owners have been the object of a vast amount of vague distrust and dislike in Kensington and Manayunk. Now, however, the workers know, and there is nothing vague about their understanding. They know now that the mill owners' talk of high wages and low treasuries is "pure propaganda," and they know just how exaggerated that propaganda actually is. They know now just how indefensible and unnecessary wage reductions are at the present time from every point of view except profits. They know now in concrete detail how the whole policy of the textile industry in Philadelphia is and has been dictated with this one end in view—profits for the owners of the mills. And, finally, they know now just how far this policy has damaged them both as producers and consumers, as well as the public at large.

What the textile workers have found out about the textile industry has already made a deep impression in Philadelphia labor circles. The textile report has been widely distributed among the other trades represented in the Philadelphia Central Labor Union. Workers in other pursuits are asking: What could we find out for ourselves about our own industry? Undoubtedly time will tell—a great deal.

A Franco-Swiss Dissension

By ROBERT DELL

Geneva, January 6

THE question that above all others preoccupies the people of Geneva at this moment is that of the "free zones." It is the subject of a controversy between France and Switzerland which is likely, if it continues, to cause bad blood on both sides and which has already considerably modified the strong Francophile tendencies of the Genevese, as one soon finds out by conversation with the man in the street in Geneva. The question is a very small one in comparison with the vast problems bequeathed to Europe by the war—and the peace. But it is of great importance to Geneva, and not without importance to Europe.

The zones are certain portions of French territory situated in the Departments of Ain and Haute-Savoie and adjoining the Canton of Geneva, into which all Swiss products are at present imported free of duty. The French custom houses, instead of being on the political frontier between France and Switzerland, are moved back to the boundaries between the zones and the rest of France, so that the zones are economically attached to Switzerland.

There are three "free zones": (1) The zone of 1815, consisting of the Pays de Gex (nearly identical with the Arrondissement of Gex) in Ain; (2) the "little Sardinian zone" of 1816 in Haute-Savoie; (3) the "annexation zone" of 1860 in the same department. The last, which is much the largest, is not in the same category as the other two, which were secured to Switzerland by an international agreement and to which Switzerland has treaty rights more than a century old. France was obliged by the Treaty of Vienna to make the Pays de Gex a "free zone." It should be said that this was merely a revival of a concession voluntarily made by Louis XVI in 1775. In 1798 Geneva lost its independence and remained part of France until 1814. When the independence of the Republic of Geneva was restored, and it was federated for the first time with the rest of Switzerland, it was only natural that the privilege of the free zone in the Pays de Gex should also be restored, especially as Geneva had been forcibly deprived of that territory by Henry IV of France, in spite of his solemn undertaking to respect it.

The Sardinian zone also came into existence as a result of the Congress of Vienna, but it was formally created by the Treaty of Turin in 1816. It was then part of the Kingdom of Sardinia and passed to France in 1860 with the rest of Upper Savoy. It was at the latter date that the "annexation zone" was voluntarily created by Napoleon III as a concession to the wishes of its inhabitants. The cession of Upper Savoy by Sardinia to France was approved almost unanimously by a plebiscite of the inhabitants, but the inhabitants of the provinces of Chablais and Faucigny and of part of the district of Saint-Julien would have preferred annexation to Switzerland, and their consent to annexation to France was obtained only by Napoleon's concession. They voted "oui, et zone." Switzerland has, therefore, no standing in regard to this zone; the matter is one between the inhabitants of the district and the French Government.

The geographical situation of the Canton of Geneva is such that the zones are almost necessary to its existence. Before its annexation to France in 1798 the Republic of

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Geneva consisted of three separate scraps of territory isolated from one another and from the rest of Switzerland by foreign territory. In 1815 France and Sardinia made very small territorial concessions to join together these three islands, if one may so call them, and connect the Canton of Geneva with that of Vaud. But even now the "Republic and Canton of Geneva" is wedged in at the end of the lake, with French territory all round it except in one corner where a narrow strip of land, nowhere more than two and a half miles wide, connects it with Vaud. With that exception its only connection with the rest of Switzerland is by means of the lake. The Department of Haute-Savoie, which borders one side of the lake, projects into Switzerland, cutting Geneva off from Valais. All the territory that now forms the three zones is, geographically, part of Switzerland, and its inhabitants are of the same race as the Swiss. It is too late now to repair the mistakes made in 1815 and 1860, but at least they should not be aggravated by depriving Geneva of the advantage of the free zones.

The Canton of Geneva is extremely small; it depends for its supplies chiefly on sources outside the Canton. For instance, it produces no butter or cheese and little more than one-third of the milk that it consumes. So small is the Canton that, although the town of Geneva is in a corner of it on the lake, it is only about ten miles from the furthest point of the French frontier and two miles from the nearest. The absurdity of the artificial barriers that have been erected between peoples is nowhere more apparent than in Geneva, where one has to carry a passport if one takes a tram two or three miles out of the town or goes for a walk up the Grand Salève. And the people that live on the two sides of the frontier belong to the same Savoyard race, speak the same language, intermarry, and live in close and constant contact with one another. So close are the relations between Geneva and the zones that 700 inhabitants of the latter own agricultural land in the Canton of Geneva, amounting in all to 1,750 acres; and about 4,075 acres in the zones are owned by 534 inhabitants of Geneva. These people, of course, have to cross the frontier daily to go to their work, and it is essential to them to have free communication for their produce. The French Government has recently seriously injured them by various prohibitions of exports, the application of which to the free zones is of doubtful legality.

The French Government is now trying to force Switzerland to agree to the entire suppression of the free zones, on the strength of Article 435 of the Treaty of Versailles, one of the minor injustices of that treaty. The desire of Switzerland to join the League of Nations and at the same time retain her neutrality gave an opening for putting pressure on her in regard to the zones, which M. Clemenceau naturally took, with the acquiescence of Mr. Lloyd George and Mr. Wilson. Article 435 is as follows:

> The High Contracting Parties also agree that the stipulations of the Treaties of 1815 and of the other supplementary Acts concerning the free zones of Upper Savoy and the Gex district are no longer consistent with present conditions, and that it is for France and Switzerland to come to an agreement together with a view of settling between themselves the status of these territories under such conditions as shall be considered suitable by both countries.

Switzerland was not a signatory of the treaty, but the Swiss Federal Council accepted Article 435 with reservations. The two zones of Haute-Savoie have hitherto been neutralized politically. The French Government was bound not to keep troops in them in time of war. This obligation, inherited by France from Sardinia, Switzerland has agreed to cancel, and the concession is a large one, in view of the geographical situation of the territory in question. Switzerland also abandons the zone of 1860, which is much the largest, having an area of about 1,200 square miles (seven-tenths of the department of Haute-Savoie) and a population of about 160,000. But in its communication of May 5, 1919, annexed to the Treaty of Versailles, the Swiss Federal Council explicitly refused to agree to the suppression of the economic privileges of Switzerland in the two other zones. The French Government insists on their suppression, and the negotiations have reached a deadlock. Since the other signatories of the Treaty of Versailles have washed their hands of the matter, Switzerland cannot appeal to them. It is, however, doubtful whether Article 435 of the Treaty of Versailles deprives Switzerland of her international guarantee for the freedom of the zones of 1815 and 1816, for Russia, Austria, Spain, Portugal, and Sweden were parties to that guaranty as signatories of the Treaties of 1815, and they have not been consulted about the matter. Great Britain, France, and Germany have no right to abrogate any provision of the treaties of 1815 without the consent of the other signatories.

One argument used in France in support of the suppression of the free zones is the fact that their products have not free entry into Switzerland. But, although perhaps Switzerland should never have levied duties on imports from the zones, she was within her technical rights in so doing, and many products of the zones have for some years been admitted into Switzerland duty-free, or with reduced duties. Moreover, Switzerland in the course of the present negotiations has offered complete reciprocity. France has refused the offer of complete free trade between the zones and Switzerland.

The present system is to the advantage of the inhabitants of the zones in many ways. One result of it is that the French state, having to compete with Swiss products, is obliged to sell its tobacco and matches much more cheaply in the zones than in the rest of France, where it has a monopoly. The inhabitants of the zones are also exempt from several indirect taxes levied in the rest of France. Moreover, Geneva is their natural market. Nor does France suffer from the present system. Before the war the imports into the zones from France were more than double those from Switzerland, whereas the exports from the zones into France and Switzerland were about equal.

The Genevese are profoundly hurt by the attitude of France which they cannot help feeling to be a little ungrateful in view of all that Geneva did for French prisoners during the war and of the intense attachment of the Genevese people to the French cause. There is some fear in Geneva that, since agreement has been found impossible, France will force matters to a head by simply moving the French custom houses to the political frontier. Should that happen, it would mean a serious quarrel between France and Switzerland, and the Swiss Federal Council would no doubt appeal to all of the signatories of the Treaties of 1815.

In the general interest of the world such a crisis must be averted somehow. Friendly representations to France by the Government of the United States might help.

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Oases of Freedom

By NORMAN HAPGOOD

NOT Pangloss himself could say much for American morale in the first months of 1921. The party coming into power is drafting plans for a tariff built to put up one more obstacle for a tottering Europe. The party going out of power celebrates peace by keeping Debs in prison and propaganding violently, with all its machinery, about red hobgoblins, a course of action which sooner or later, if continued, will bring results such as we are now seeing in France. At home is reaction, in greater intensity than several decades have seen. Abroad are confusion and distrust blocking the path.

Disillusion, nevertheless, and disappointment, do not excuse discouragement. However evil the circumstances, the work of rebuilding must be carried along. What common denominator exists to the many elements of our task? Just one—the mind must be free. Unless there is free thought our efforts are almost sure to be in the wrong direction. In the modern world of machinery and rapid communication, changes happen suddenly. The signs of right thinking at present are few, but they may any moment burst into a blaze. One book alone, for example, Professor Chafee's "Freedom of Speech,"* if it could be read in every home in this land, might do much to put us again on the right course.

That book is not the argument of a radical, for Professor Chafee calls himself a conservative. It is the loyalty of a scholar, who cannot forget the history of England and the United States, or the specious defenses of Czars and Kaisers. Freedom of speech to him means something clearly outlined, essential, resulting from centuries of thought and experience in many lands. It builds the basis on which we can think about deportations and convictions, about Debs and Martens, about the French Revolution and Russia, about what Jefferson and Lincoln would have thought today.

A powerful application of the traditional principles of American freedom has again just been made by Justice Brandeis. In his latest dissent on free speech he stands alone, not even the brilliant Holmes by his side, but this happily does not mean that the two distinguished minds who have been defending freedom have parted company. Holmes "concurs in the result" reached by the majority, in the case of Gilbert *vs.* Minnesota, and the Chief Justice dissents, neither of which would have happened presumably if it had been an unmixed freedom-of-speech case. Justice Brandeis, writing a dissenting opinion for himself alone, disagrees with most of the Court on the technical question of jurisdiction involved, but he also gives a sharp expression to his views on the degree of freedom assured by the Constitution.

John Gilbert was manager of the organization department of the Nonpartisan League. He was sentenced to fine and imprisonment for speaking, on August 18, 1917, at a public meeting of the League, words held to be prohibited by a Minnesota law approved April 20, 1917. This law Justice Brandeis declares to be "in fact an act to prevent teaching that the abolition of war is possible." It is not limited to the war emergency. "It bridles freedom of speech and of the press, not in a particular emergency, in order to prevent a clear and present danger, but under all circumstances. It prohibits teaching or advocating by printed matter, writing or word of mouth, that men should not enlist in the military or naval forces of the United States. . . . The statute aims to prevent not acts but beliefs." It "invades the privacy and freedom of the home. Father and mother may not follow the promptings of religious belief, of conscience, or of conviction, and teach son or daughter the doctrine of pacifism."

In the course of discussing the rights of Congress Justice Brandeis says:

> Congress, legislating for a people justly proud of liberties theretofore enjoyed and suspicious or resentful of any interference with them, might conclude that even in times of grave danger the most effective means of securing support from the great body of citizens is to accord to all full freedom to criticize the acts and administration of their country, although such freedom may be used by a few to urge upon their fellow-citizens not to aid the Government in carrying on a war, which reason or faith tells them is wrong and will, therefore, bring misery upon their country.
>
> The right to speak freely concerning functions of the Federal Government is a privilege or immunity of every citizen of the United States which, even before the adoption of the Fourteenth Amendment, a State was powerless to curtail. . . . Full and free exercise of this right by the citizen is ordinarily also his duty; for its exercise is more important to the nation than it is to himself. . . . In frank expression of conflicting opinion lies the greatest promise of wisdom in governmental action; and in suppression lies ordinarily the greatest peril.

After further discussion of technical points Justice Brandeis concludes:

> As the Minnesota statute is in my opinion invalid because it interferes with Federal functions and with the right of a citizen of the United States to discuss them, I see no occasion to consider whether it violates also the Fourteenth Amendment. But I have difficulty in believing that the liberty guaranteed by the Constitution . . . does not include liberty to teach, either in the privacy of the home or publicly, the doctrine of pacifism; so long, at least, as Congress has not declared that the public safety demands its suppression. *I cannot believe that the liberty guaranteed by the Fourteenth Amendment includes only liberty to acquire and to enjoy property.* [The italics are mine.]

Gilbert had said:

> We are going over to Europe to make the world safe for democracy, but I tell you we had better make America safe for democracy first. You say, what is the matter with our democracy. I tell you what is the matter with it: Have you had anything to say as to who should be President? Have you had anything to say as to who shall be Governor of this State? Have you had anything to say as to whether we should go into this war? You know you have not. If this is such a good democracy, for heaven's sake why should we not vote on conscription of men? We were stampeded into this war by newspaper rot to pull England's chestnuts out of the fire for her. I tell you if they conscripted wealth as they have conscripted men this war would not last over forty-eight hours.

It is not up to me to decide whether this last sentence is true or not. Mr. Justice McKenna conceives that it is up to him, and he asserts that the war was declared "in defense of our national honor." On the exact question of why we

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went to war, I do not happen to agree with Justice McKenna, any more than with Mr. Gilbert, but I think Mr. Gilbert a more wholesome element in our democracy than the justice. Nevertheless, I have no desire to imprison Mr. Justice McKenna.

Since the United States went to war Justices Holmes and Brandeis have stood for the traditions of freedom, and in the lower courts there has also been some effort to draw the lines so as to preserve as much freedom as possible, notably by Judge Learned Hand, Judge George W. Anderson, and Judge C. F. Amidon, but on the whole the judges have taken an attitude of patriotic fury, fanning the ire of juries already savage. Perhaps the most extraordinary case of judicial passion has been the crass jesting and orating of Judge Clayton in the Abrams case, in which he declared that Lenin and Trotzky were carrying out the plans mapped out by the Imperial German Government, that he had "heard of the fate of the poor little daughters of the Czar," that the defendant Lipman understood nothing except "the hellishness of anarchy," and that no one of the prisoners had ever produced anything, not "so much as a single potato," although two defendants actually bound books, one produced furs, one hats, and one shirt-waists. His conduct of the case was highly praised by the New York *Times*, which was so zealous a defender of civilization about that time that it said Countess Tolstoy's novels far surpassed those of her anarchist husband.

In the Debs case Justices Holmes and Brandeis concurred. It must be conceded, therefore, that there was in it no breech of the Constitution. Concerning Debs the only things to criticize are the sweepingness of the Espionage Act, the war mania, and the failure of the President to meet his responsibilities. Never can a legal conviction have called more clearly for the use of the pardoning power. The case was a close one, even from the legal standpoint. From the point of view of morals and political intelligence it was a crime. The war has been ended over two years. The men in England, France, and Italy who were in prison for pacifism were promptly freed, partly by proclamation, partly through brevity of sentence. Our country alone can boast that it now possesses, safely shut up in a penitentiary on a ten-year sentence, a noble old man, who never in his life has counseled violence, but who confessed to the crime of thinking it wrong to kill his fellow-men, even in war. One administration goes out on this note and another comes in on Mr. Harding's statement that Debs is not different from an ordinary safe-cracker.

When the Abrams case, in the trial of which Judge Clayton so distinguished himself, reached the Supreme Court, the dissenting opinion was written by Justice Holmes, Justice Brandeis concurring. It was in that stirring opinion that Justice Holmes said the defendants had as much right to distribute their leaflets as the Government of the United States had to print and distribute the Constitution. "I regret," said the justice, "that I cannot put into more impressive words my belief that in their conviction upon this indictment the defendants were deprived of their rights under the Constitution of the United States." It was of this case that Professor Chafee said the trial judge

> ignored the fundamental issues of fact, took charge of the cross-examination of the prisoners, and advised the jury to convict them for their Russian sympathies and their anarchistic views, . . . The injustice is none the less because our highest court felt powerless to wipe it out. The responsibility is simply shifted to the pardoning authorities . . . and to Congress, which can change or abolish the Espionage Act of 1918, so that in future wars such trial and such sentences for the intemperate criticism of official action shall never again occur in the United States.

The language used by these young radicals was indeed intemperate, but it was not a half-educated immigrant who said, apropos of our Russian policy, "if any nation were to do any of these things to the United States, we should not doubt that it was making war on us." It was Mr. Moorfield Storey.

In Schaefer *vs.* United States, the dissenting opinion was written by Justice Brandeis, Justice Holmes concurring, on violation of the First Amendment, guaranteeing freedom of the press, and Justice Clarke concurring on the ground that the charge of the trial court was misleading. Five owners of the Philadelphia *Tageblatt* were convicted and six supreme judges confirmed the conviction of three of them. Here again Justice McKenna was eloquent. He said "there could be no more powerful or effective instruments of evil than two German newspapers organized and conducted as these newspapers were conducted." He talked about "anarchy" and "the immeasurable horror" of defeat. As in the Gilbert case he was excessively annoyed at the view taken by the culprits of why we went into the war. Of their newspaper he says: "Its statements were deliberately and wilfully false, the purpose being to represent that the war was not demanded by the public," etc. Again we may agree that it would be a pity to shut up Justice McKenna because he thinks the majority of the American people wanted to go into the war. He should freely argue for war, for increased influence of property, or for any other cherished conviction. As Justice Brandeis put it, in Pierce *vs.* U. S.:

> The fundamental right of free men to strive for better conditions through new legislation and new institutions will not be preserved, if efforts to secure it by argument to fellow-citizens may be construed as criminal incitement to disobey the existing law, merely because the argument presented seems to those exercising judicial power to be unfair in its portrayal of existing evils, mistaken in its assumptions, unsound in reasoning, or intemperate in language.

How right Justice Brandeis was in connecting freedom of speech in principle with the great industrial struggle was not long in having confirmation. As recently as January 3 he had to write an opinion, concurred in by Justices Holmes and Clarke, dissenting in Duplex Printing Press Company *vs.* International Association of Machinists on an aspect of the right to strike. The Solid Six, who can always be relied on in industrial questions, are the same Solid Six who can always be relied on in cases of suppressing opinions. They are also the phalanx that in matters like the stock dividends case can be relied upon to reach conclusions satisfactory to property. It is frequently surmised that when the first vacancy occurs on the Supreme Court Mr. Taft will be appointed. During the campaign just closed Mr. Taft attacked President Wilson for putting on the Court a man with the property ideas of Mr. Brandeis. The oldest man on the Court is Mr. Justice Holmes, one of the three liberals, one of the two unfailing liberals; and the youngest man on the Court is the most determined reactionary of all, Mr. Justice McReynolds. Such is the outlook for the most powerful judicial tribunal on this earth.

Facing our materialism, our intrenched government by plutocracy, many of my friends are inclined to turn away from politics altogether, to seek progress in cooperation, in

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the slow processes of fundamental education, or in some new spiritual impulse. They point to the big employers getting ready to fight for shops from which unions have been excluded; to the national legislature preparing a tariff to help our big trusts survive against the needs of Europe; to the fundamental law deflected by six of the most conservative old gentlemen on the planet; to the outgoing administration not only punishing opinion at home, but trying to remove the symptoms of Russian distress by increasing the distress; and one can scarce be surprised at the loss of hope. Yet it is in the determination of judges like Holmes and Brandeis, Hand and Anderson, in the supporting comments of professors like Chafee, Pound, and Frankfurter, that there is kept alive the tradition that has made of government so noble an instrument of progress in the early part of our own history, and in the history of the country from which so many of our conceptions have been taken. The points from which light is spread just now are few, but the difficulties ahead of the materialists and reactionaries are many, and sudden change is indeed likely. It may come in the political field in one of several ways: through a split on industrial policy between the Penrose and the Borah wings of the Republican Party; through the displacement of Gompers and the forming of a live party around the American Federation of Labor as a nucleus; through a change of national temper similar to the one so suddenly brought about by Mr. Taft's errors in choosing his advisers and by his errors on the tariff and on conservation. It seems to me exciting to live while reaction is in control, while despotism is increasing, but while all the large circumstances mean that despotism and reaction cannot last, and while one may guess at the manner of their fall, and help to think out what exactly ought to take their place. For what Brailsford says of Russia holds of our country also. He points out that despotism that teaches people to read, as Bolshevism does, is digging its own grave. So with our present disheartenment. Something whispers that there are seeds of better things: that if they do not come in the way provided for them they will come with catastrophes. I am a fairly prosperous bourgeois; my whole temperament is timid, and alarmed by Jefferson's belief that "a revolution every once in a while is a good thing"; and yet my mind, overcoming temperament, declares it well for the human race that forces are at work condemning politics to destruction if those politics are too cowardly or too blind. The choice is clear. Either the grand old traditions represented by Brandeis and Holmes will come back into general acceptance, and we shall all work out the future together, or sooner or later the flood will burst, in the conquering countries as it has already burst in Central and Eastern Europe. The only thing that can preserve us from revolution is a return to freedom.

Contributors to This Issue

LOUIS BUDENZ, formerly secretary of the St. Louis Civic League, is now making a survey of municipal transportation.

HAROLD J. LASKI, of the University of London, was formerly at Harvard and the School for Social Research.

GEORGE W. KIRCHWEY is the noted criminologist.

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In the Driftway

THE Drifter does not like to take issue with the editor of *The Nation.* The editor gets so many knocks that it is difficult to find a new place to hit, and the Drifter prides himself too much on his originality to thump the spots that others have already worn black and blue. Besides—and more practical—in this day when bosses are cutting wages and laying off hands the Drifter hesitates to irritate any one from whom he draws even a slender stipend; even a scrivener for *The Nation* must sometimes be diplomatic. And yet—and yet if he *were* bold enough to take issue with the editor, he would do so in respect of the latter's praise of Mr. Harding's simplicity. For just before reading the kind words in regard to Mr. Harding's plea for a simple inaugural, the Drifter had seen a census of the wardrobe that a Toledo tailor is preparing for the next President. Here is the enumeration:

> Two cutaway coats, one frock coat, two dinner coats, two dress suits, one frock overcoat, two spring overcoats, six pairs of flannel trousers, twelve silk waistcoats, eleven business suits, three overcoats, six pairs of trousers, and six fancy waistcoats.

The two dinner coats sound all right, because a President has to do a lot of eating, and may sometimes have to dine twice in a single evening. No objection is made, either, to the frock overcoat; the Drifter doesn't know what a frock overcoat is for, and would rather approve it than reveal his ignorance. Also he welcomes the two spring and the other three overcoats, because he has spent the month of March in Washington himself and is sure that there will be days when Mr. Harding will not be too warm with all five garments on his back at once. Twelve pairs of trousers seems excessive, but, of course, Mrs. Harding is likely to give away a pair now and then to some tramp who rings at the White House back door while the President is too busy with a message to Congress to notice the occurrence. Eleven business suits are perhaps necessary for what we are assured is to be a business administration, but the Drifter must regard as extravagant, unnecessary, and prodigal, the twelve silk and the six fancy waistcoats mentioned in the list. Even if Mr. Harding is taking advantage of the midwinter reduction sales to lay in enough waistcoats for a possible eight years in the White House, the supply seems excessive. Surely Mr. Harding is not planning a shirtsleeve administration—which would, of course, entail extra wear and tear on his waistcoats. At any rate the Drifter hopes nobody will either spell or pronounce it "*waste*-coat." In that case the eighteen would quite overbalance the eleven business suits and dissipate all his hopes of national economy. But in all this, it must be understood, the Drifter is not taking issue with the editor of *The Nation.* He is merely suggesting what he might say if he *dared* to do so.

* * * * *

THIS is an age of minutiae. The Drifter leans toward the big and spacious; and what could be bigger or more spacious than this transatlantic yacht race proposed by King Albert? Some people wax enthusiastic over chess or dominoes; the Drifter's blood is more stirred by the thought of a 3,000-mile sail, without handicaps and open to the world. If any owner of a barely seaworthy piece of wood entering the contest is looking for a cabin boy, cook, or skipper, the Drifter stands ready to ship in any or all of those capacities. Telephone, write, or call THE DRIFTER

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Correspondence

The Issue of German Reparations

TO THE EDITOR OF THE NATION:

SIR: May I take advantage of the fact that my name was used by Mr. Pierrepont B. Noyes, in his otherwise excellent article in your magazine, recently, to make certain observations on his thesis? At the outset I take the liberty of suggesting that he mildly exaggerates my enthusiasm for the President's Paris efforts, as the mass of letters of protest written to me by Mr. Wilson's followers perhaps best demonstrate.

But this is after all a trivial circumstance, the more so since I am heartily in accord with Mr. Noyes on all of his major proposals. To me the question of the restoration of economic order in Europe seems to turn upon certain perfectly well-defined circumstances and in reality upon two—the assurance to France of security and of the maximum of possible reparation from Germany. The present chaos, failure, and paralysis in Europe are due to the inability of the English-speaking countries to appreciate the true bearing of these circumstances.

Most of the discussion, so far, most of the criticism of the various Paris treaties, has turned upon the contrast between what was done and what should have been done and the consequent conjunction of Utopia and Bedlam. What has been neglected has been an examination of the possible, both at Paris and since. Yet, after all, statesmanship in every age has disclosed itself by its capacity to deal with the possible. Moreover, in the United States the gravest conceivable mistake has been made in constantly laying emphasis upon the moral aspects of our relation to the European situation.

The true concern of the United States and Great Britain in the present European crisis is material, not moral. And whereas you can exploit a moral issue only for a limited period of time and under unusual conditions, a material concern can always be exploited, that is to say; you can always talk business with people who have something to sell and a necessity to sell it. And that is the precise situation of the people of the United States and Great Britain today.

Anyone who has followed recent events in Washington knows that the present Congress is wrestling in agony with the problems presented by the fact that our farmers and cotton growers at the present hour have on their hands vast accumulations of wheat and cotton which they cannot sell, despite the fact that Middle Europe is starving and out of employment for the want of these products. Our concern with the European situation is just here, and to bring home to the American people the fact that they can dispose of their products only by assuming certain responsibilities in Europe, for a limited period, is the single way to achieve persuasion.

Moreover, the one possible way to European rehabilitation lies through the proper recognition of French demands for security and reparation. Unless these two demands are recognized France will block all Anglo-American attempts to solve the European mess to our own profit and to the utter neglect of French interests. This is the fact; a discussion of the moral aspects is idle. An argument over the wisdom or unwisdom of French policy is futile. Two years has demonstrated this. As well undertake to compel the French people to speak English as to strive to force them to take the English or American view of the situation.

What is the alternative, for we still have our foodstuffs and raw materials to sell and the British unemployment mounts into the millions? Obviously, the recognition of the basic facts and an attempt to deal with them, not to eliminate them by pious incantation or by economic homilies which to French ears betray hypocrisy rather than sincerity. Some such program as the following seems to me not only necessary, but inescapable:

1. Fixing the total of German reparations, exclusive of payments already made in materials, etc., and of payments for the army of occupation at $16,000,000,000. This is a figure about midway between the two extremes contained in all conservative estimates of what Germany can pay.

2. Agreement by Great Britain to follow the example of the United States and resign in favor of France all claim upon German reparations, so far as the $16,000,000,000 is concerned. This would assure to France $12,000,000,000.

3. Agreement by the United States and Great Britain to accept in payment for loans to France still outstanding and amounting to approximately $5,000,000,000, German bonds, constituting a portion of the French share of the $16,000,000,000. And, if possible, American cancelation of the French debt, which amounts to about $2,500,000,000. France would then receive either a net sum of $7,000,000,000 or of $9,500,000,000 from Germany, sufficient in any case to complete the actual reconstruction of the devastated area and in addition would be able to extinguish her foreign debt.

4. Ratification by Great Britain and the United States of the separate Treaty of Paris, guaranteeing Anglo-American aid to France in case of German aggression, this treaty extended to insure specific Anglo-American assistance provided Germany fails to carry out the disarmament clauses of the Treaty of Versailles.

5. Evacuation of all of the occupied regions of Germany not later than December 31, 1921, save only the Saar Basin.

6. Agreement by France to abandon the project of a plebiscite in the Saar district at the end of a fifteen-year period and consent to the unconditional return of the territory to Germany at the close of that period.

7. Agreement on the part of Germany to a further delivery of coal to France until 1925, when the Lens district will be almost completely restored to exploitation.

8. The calling of an international conference of the Great Powers—the United States, Great Britain, France, Germany, and Italy to be represented and Japan as well—to consider the economic restoration of Europe by joint action, territorial and purely political questions to be expressly excluded from the discussion.

For myself I have rejected the League of Nations because it carries with it unlimited responsibilities in European questions in which we can have no concern and involves us in an agreement which the people of the country would never consent to honor when it came to a question of sending thousands of American troops to Rumania or Poland to defend frontiers or maintain the integrity of these or other states. But the question of the Anglo-American guaranty to France is quite different. It is a specific responsibility undertaken like the last war for a definite end, namely, to restoration of the European market to the American producer.

The alternative is a prolongation and extension of European chaos and the increase of domestic economic paralysis in the United States, with the very clear possibility that we may ultimately have to send troops to Europe after all. I agree with Mr. Noyes that the army of occupation ought to be removed, that it makes for new wars and further economic chaos. I agree with many critics of the treaty that the Saar Basin should remain German, despite the historical claims of France and the fact that Germany stole it in 1814 and 1815. I agree that Franco-German relations unless ameliorated are tending toward new conflicts which must bring the ruin of European civilization.

But for two long years Anglo-American policy or lack of policy has served to push France further and further along the road which leads to independent action and ultimate ruin not only for France and for Germany, but for Europe, Great Britain included, with unmistakable repercussions in the United States. Unless British and American policy be changed, the end is already in sight. Whatever else happens, Germany will be smashed beyond any hope of early recovery. This is the bottom fact in the situation.

Keynes saw the economic facts clearly enough, but he undertook to put all the burdens on American and French shoulders

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and to eliminate the political facts by invoking moral issues. One must say in justice to him, however, that he has already advocated the surrender by the British of their claims upon the German indemnities, which brings him into accord with Mr. Noyes.

It seems to me about an even thing now whether Europe can be saved or will sink into anarchy and chaos. At all events who would care to forecast what will be the consequences of another year of increasing misery and disorder, such as the last two? The worst enemies of the Treaty of Versailles would hardly desire to see substituted the conditions of Russia, yet so far that is the only visible alternative. And unless British and American statesmen and publics, alike, perceive that the road to their own goals runs through Paris, it is likely to remain the only alternative.

Washington, D. C., January 20 FRANK H. SIMONDS

How to Restore Civilization

TO THE EDITOR OF THE NATION:

SIR: I have just read with interest "Justice to Germany and France," published in your issue of January 19. This able discussion is in large measure wholesome and valuable, but a small, though vital, part of it is based on a biased trend that will not stand analysis from neutral approaches. One is reminded of the fine declaration of neutrality issued by President Wilson at the opening of the World War and the way that declaration actually functioned throughout the war. The mind that does not clearly see and deeply feel America's moral failure during the first years of the war, and especially at the Peace Conference, cannot represent her ideals and purposes today. It is, I believe, due to a similar moral deficiency, though with wholly different purpose, that such a movement as that represented by the Committee of 48, in spite of its claims to achievement, was given but little serious consideration even by those to whom its appeals were primarily addressed. Little wonder that we have become somewhat callous to the cry of "Wolf, wolf." To win the wholehearted support of America it must be clear, beyond the shadow of doubt, that truth and unselfishness are the goal. When Great Britain shows by deeds that she has this as her goal and begins by making self-determination a living reality in Ireland and Egypt; when France purges her soul of hatred and revenge and demonstrates her faith in the superior power of conciliation and cooperation; and when the Entente Allies as a whole frankly face and accept their share of the guilt that culminated in the Treaty of Versailles, the United States will, without previous treaty or alliance, give them such friendly and hearty cooperation and aid, and be such a formidable foe to injustice and vaulting national ambition that neither Germany nor any combination of nations will venture to antagonize her stand. Confident that truth is the first great quest of the human race and that the benevolent emotions must and will come to dominate the malevolent feelings America can best fulfil her own great mission and best aid a sorely maimed world by herself personifying active non-resistance in international affairs, the most powerful of all forces operative in the shaping of a higher civilization.

Spring Grove, Virginia, January 21 O. J. SCHUSTER

Why Soup Kitchens?

TO THE EDITOR OF THE NATION:

SIR: The soup kitchen has arrived. The Toledo Social Service Federation fed 1,200 at the first breakfast, and announced that one wealthy citizen had donated 15,000 loaves of bread and 5,000 quarts of milk for the needy. The Detroit City Council has appropriated $250,000 for unemployment relief.

What about increased production? Six months ago we were told that this was the world's greatest need. Have these needs been met? Is the world supplied? The trouble is that industry is not organized for production; the basis of organization today is profits. What we need now, is to organize for service. Organized for service we would proceed at once to rehabilitate the railroads, we would build new cars, repair the old cars, build and rebuild the motive power, put the railroads in condition to render the maximum of service with the minimum of labor. If service were the purpose of life, we would proceed to utilize our vast hydro-electric facilities.

Gantt, in "Organizing for Work," says: "The community need service first, regardless of who gets the profits, because its life depends upon the service it gets. The business man says profits are more important to him than the service he renders; that the wheels of business shall not turn, whether the community needs the service or not, unless he can have his measure of profit."

Brann once described the situation as it is today: "People starve while the granaries, bursting with grain, yield no food; they wander houseless through summer's heat and winter's cold, while great mountains of granite comb the fleecy clouds and the forest monarch measures strength with the thunderstorm; they flee naked and ashamed from the face of their fellow-men while fabrics molder in the market-place and the song of the spindle is silent; they freeze while beneath their feet are countless tons of coal—incarnate kisses of the sun god's fiery youth: . . . yet the common heritage in the human race lies fair before them and there is room enough." Why soup kitchens?

Rochester, Pa., January 26 CHARLES B. BALDWIN

A Plea for Free Credit

TO THE EDITOR OF THE NATION:

SIR: As the unemployed crisis grows more acute men are everywhere asking, How can we make demand equal supply that overproduction (under-consumption) may be overcome? The fact is that demand is everywhere greater than supply, but this demand is not permitted to function, thanks to the monopolistic control of credit, the life-blood of commerce.

The right to convert business credit into a medium of exchange is held by the banks of issue. They see to it that the needed medium is furnished the business world in insufficient quantity. This insufficiency has two effects. On the one hand it imparts to money the power of returning enormous unearned incomes to a few men, and on the other hand it impedes commerce and with it the production of wealth.

Our currency may be described as a reissue of "commercial paper," that is, the promissory notes of business men. If the right to convert such business credit into a medium of exchange were not monopolized but were open to the business world without the payment of interest—just as the banks of issue now receive the currency—the rate of interest would at once fall to insurance plus labor cost and money would, through competition, soon lose the power of returning unearned incomes. Obviously the purchasing power needed by the workers to buy the things they need is in the banks, and there is but one way to transfer this purchasing power to the consumer, and that is by the abolition of speculative interest.

Apply this principle to the house shortage. If house owners could borrow money at practically no interest by mortgaging their unincumbered houses for currency, they would borrow money and build more houses. Competition among house owners would bring house rent down so as to afford no, or little more, income than money loaned. The same would be true of all forms of invested capital.

The business world may be represented by the picture of two insatiable demands—the insatiable demand of capital for labor and the insatiable demand of labor to be employed by capital. These demands could get together and function but for the fact that our currency system compels them to approach one another through the narrow causeway of monopolized credit. It is as if you tried to bring all the waters of the Pacific Ocean into contact with all the waters of the Atlantic Ocean through one narrow isthmus.

Xenia, Illinois, January 25 JOHN BASIL BARNHILL

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International Relations Section

"Sovietizing" the Schools in Mexico

THE proposed Mexican education law, which has been submitted to the legislature for action, was drawn up by José Vasconcelos, Dean of the National University. When the text of the law was first published there was much newspaper discussion of the "sovietizing" of the schools through the appointment of local councils of education made up of representatives of parents, teachers, and the public authorities. It is also interesting to note the provision that directors and faculties of high schools are to be nominated by the students and teachers in each institution and by independent scientific bodies.

CHAPTER I

Establishment and Functions of the Federal Department of Public Education

ARTICLE 1. There shall be established a department in the Government to be known as the Federal Department of Public Education.

ART. 2. The duties of the Federal Department of Public Education shall be:

(1) To promote the organization and functioning of public education throughout the national territory;

(2) To develop culture and the fine arts.

ART. 3. The education given in the institutions under the supervision of the Federal Department of Public Education shall be free and secular; the primary shall, moreover, be compulsory. So far as the resources of the treasury permit, the Government shall be obliged to feed, clothe, and educate all children in the Republic under fourteen years of age who are orphans or destitute and who are dependent upon fathers incapacitated for work.

CHAPTER II

Matters Under the Control of Federal Department of Public Education

ART. 4. The Department of Public Education shall have control over the following matters in the form determined upon by this law:

(1) The National University of Mexico with all its present subsidiaries, also the National Preparatory School, which shall form part of it, together with the National Institute of Scientific Research, which was under the supervision of the Department of Public Instruction and Fine Arts until it went out of existence, as well as others which in future shall be established;

(2) The direction of primary and normal education;

(3) All public primary and high schools in the Federal District and Territories, including those under the control of the city council;

(4) The high school of commerce and administration and the national industrial schools.

ART. 5. The Federal Department of Public Education shall comprise the above mentioned institutions, together with those which shall in future be created, and all of which shall constitute three main branches or departments, viz.:

(1) The Scholastic Department, which shall include schools for natives [Indians]; rural schools; primary, high, normal, special, preparatory, industrial, and commercial schools; and the universities, which by virtue of their federal character shall be under the control of the same department;

(2) The Department of Libraries and Archives, which shall be responsible for the creation and operation of public libraries throughout the country, the care and administration of the national library and of special libraries established by the department, as well as the general archives of the nation;

(3) The Department of Fine Arts, which shall have under its supervision official institutions of fine arts, the museums, and historical and artistic monuments, archeological monuments, theaters and theatrical productions, conservatories of music, propaganda by means of moving pictures, and all other similar institutions.

CHAPTER III

Scholastic Department

ART. 6. The Federal Department of Public Education as soon as it begins operation shall concern itself with:

(1) The establishment of special schools for the education of the Indian to be distributed in regions densely populated by Indians and in which the Spanish language shall be taught, together with those rudimentary subjects necessary to assimilate them into our civilization, so that they may pass successively to the rural schools, the primary schools, the preparatory, professional, etc., according to their aptitudes and potentialities.

(2) The establishment of rural schools throughout the Republic suited to the needs of the community and the resources available. With this object in mind use shall be made of the institutions now in operation in different parts of the country, so that if it is not possible to create new schools those existing shall be developed. In organizing rural schools, care shall be taken to give instruction especially in subjects of practical utility so as to perfect the manual and industrial crafts and trades of each region.

(3) The establishment of primary and advanced primary schools in all cities of the Republic and the development of those already existing.

(4) The establishment of preparatory schools as annexes of the federal universities of a standing equal to that of the National Preparatory School of Mexico City. In these preparatory schools, adequate instruction shall be provided to prepare pupils for entrance into the faculties of the universities.

(5) The establishment of industrial schools or technical schools to the number of at least one in each State of the Republic either through the creation of such institutions or the perfecting of those already existing. In each case, care shall be taken that the school meets practical needs, so that, for example, in mining regions, institutions shall be established to teach the working and assay of minerals; in industrial regions, applied mechanics and metal work; in live-stock regions, tanning, and so forth; so that the pupils may maintain themselves in their home communities, instead of moving on to others and becoming charges on society.

(6) The establishment and perfecting of at least three great universities, which besides the one in Mexico City, shall be founded in Guadalajara, Monterey, and Merida. These institutions shall be created, taking advantage of the plants and faculties already existing in those places, but perfecting them as may be necessary. Oversight to insure the proper operation of all these educational institutions and other similar ones under the control of this department, granting them all the independence and autonomy compatible with the necessity of coordinating into a single whole the special ideals of each.

CHAPTER IV

Department of Libraries and Archives

ART. 7. The Department of Libraries and Archives shall have its principal office in Mexico City, and in accordance with the annual budgets approved by Congress shall extend its sphere of influence throughout the Republic, until a library shall exist in every community of more than 3,000 inhabitants, whether founded with local funds or with federal subsidy.

ART. 8. The department through its agents shall travel through the country seeking means of levying funds in each region, or supplying local needs, so that these libraries may be established as soon as possible.

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ART. 9. Care shall be taken to have these libraries consist mainly of books of applied science, literature, ethics, art, and trade, all in the Spanish language, whose zealous cultivation is recommended as one of the highest forms of patriotism.

ART. 10. In order to obtain the necessary books for these libraries, as well as to extend general culture throughout the country, there shall be created a section on translations and an editorial office under the control of the Department of Public Education, with the sole limitation that no works on "militant politics" may be edited.

ART. 11. The Department of Public Education, through a technical commission, appointed for the purpose, shall select the works to be distributed throughout the Republic.

ART. 12. Federal libraries may receive all kinds of donations.

ART. 13. The libraries under the control of this department shall install a system of loaning books to homes, and for this purpose shall secure all works in duplicate. The councils of education, to be referred to later, shall be charged with finding premises for the establishment of these libraries and levy funds for their maintenance. Only where it is impossible to secure local funds, the department shall provide a corresponding subsidy.

ART. 14. The Federal Department of Public Education shall promulgate necessary regulations for the operation and development of the general archives of the nation.

CHAPTER V

Department of Fine Arts

ART. 15. The Department of Fine Arts shall have under its supervision:

(1) The National Academy of Fine Arts;

(2) The National Museum of Archeology, History, and Ethnology;

(3) The National Conservatory of Music;

(4) The academies and institutes of fine arts which shall be established in the various States, either through federal resources or sums allotted by it;

(5) The conservatories of music which shall be created in the various States, with federal funds or subsidy;

(6) The museums which will be established either in the Federal District or in the States, with federal funds or subsidy;

(7) The general inspection of artistic or historical monuments;

(8) Inspection of archeological monuments;

(9) The development of the national theater;

(10) In general the fostering of the artistic education of the people, by means of lectures, concerts, theatrical or musical productions, or any other method;

(11) *Copyrights: literary, dramatic, and artistic property;*

(12) Exhibitions of works of art and cultural education through moving pictures and all similar means, and theatrical, artistic, or cultural productions and meetings in all parts of the country.

CHAPTER VI

Powers of the Federal Department of Public Education

ART. 16. The three branches of the department shall be subdivided into the bureaus and sections necessary for the efficient conduct of its affairs.

ART. 17. The department shall be under the direction of a secretary with a seat in the Cabinet, who shall work directly with the President of the Republic, a sub-secretary, a chief clerk, and three department heads in charge of the three principal divisions: scholastic, libraries and archives, and fine arts.

ART. 18. The department shall appoint agents, who shall travel to the different parts of the country to organize the activities set forth in the present law.

ART. 19. The Federal Department of Public Education shall appoint the directors of all high schools and the faculties therein, preferably in the following manner; one candidate to be chosen by their respective students, another by their teachers, and another by independent scientific societies or organizations.

ART. 20. Powers of this department to appoint, remove, grant licenses, or order changes in the administrative or teaching staff, may be delegated to the local councils, with the following limitations:

(1) No employee of public education may be removed from his position for political reasons or for the profession of religious belief.

(2) In case of removal, the council or department must show cause to the party interested, and he may present his defense.

(3) Members of the teaching force who hold chairs or professorships in accordance with the rules of competitive examination, may not be removed, except in cases specially provided under these regulations or for conviction for a common crime.

(4) Employees of public education shall have the right to pensions under the conditions prescribed by law.

CHAPTER VII

Funds Provided for the Maintenance of Public Education

ART. 21. In the Federal District and Territories, the expenses of public education shall be met by the federal treasury, or by funds which each institution may itself obtain. Public education in the States shall be maintained with funds actually provided for this purpose in each locality, with the taxes and other duties which may in future be locally imposed, and with funds which the Federal Government grants each year, either for the maintenance of federal plants or for the development of local institutions.

ART. 22. The Department of Public Education may propose laws relative to taxes for its branch of the government, either before the Federal Congress, through process of law, or before State congresses, through representatives of that department.

ART. 23. Both in the Federal District and Territories, and in the States, care shall be taken that the major part of the income assigned to education shall be applied to elementary instruction, secondary, industrial, commercial, normal and preparatory, and then professional.

ART. 24. The Universities of Mexico shall be maintained by:

(1) The fees of students which may be fixed, those students alone being obliged to pay who are able to do so;

(2) The income of their properties, if such exist, and by donations and foundations they receive;

(3) The subsidies which the Federal Congress or the local legislatures may assign them.

ART. 25. So long as they cannot maintain themselves with their own funds, the federal universities shall receive as a minimum subsidy a sum necessary for the activities now existing, which must be placed entirely at their disposal to distribute and manage for themselves. Surpluses, if there be any, in each of these institutions shall remain to their credit to create funds which may be invested or used for their improvement as may be agreed upon by their executive staffs.

CHAPTER VIII

Councils of Education

ART. 26. Councils of education shall be in operation throughout the Republic made up in the following manner:

In each place of more than 500 inhabitants, there shall be established a council of education made up of three members, viz., one representative of the parents, one representative of the local city council, and one representative of the teaching force. The parents shall choose by vote from among themselves the person to represent them on the council; the city council, by vote from among its members, shall choose a member of the council; and the teachers shall choose a third member. Should there not be enough teachers in a community, the choice of the teacher to sit in the council may be made by the city council.

ART. 27. All the members of the councils shall meet, each year, either personally or through delegates, at the capital of each district, section, or canton, including the members of the

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council of the capital of said district, so as to organize a district council, composed of three members chosen by the councilors of the communities which make up the district, section, or canton. This district council shall have general oversight of all educational affairs under its jurisdiction, and may come to have the direction of these affairs when so ordered by the authorities controlling the respective schools, when the law goes into effect.

ART. 28. In the capital of each State of the Republic, in the capitals of the Territories and in the Federal District, there shall be organized besides the local council, a council of education, composed of five members chosen by vote by the councilors of the districts, sections, or cantons, who, to make this choice, shall meet each year in the capital of the respective State or district.

ART. 29. The local councils shall propose to the authorities controlling the elementary and primary schools the nomination and removal of the teaching force, and they themselves may choose and remove the staff on the approval of the authorities controlling the schools.

ART. 30. The council of each State shall propose to the authorities in charge of the primary, high, and special schools the nomination of the staff, and shall suggest what appears proper for making up the school budget of each community. They shall do all this providing the said authorities give them powers to do so. The central council of the Federal District shall have the right to propose to the Department of Public Education the nomination of teachers and directors of the primary schools, but it shall remain the duty of the department to accept or reject these proposals and in general all definite decrees regarding the organization and management of their respective affairs unless it delegates these duties to the council.

ART. 31. The councils of education of each State of the Republic shall elect two members to go to the capital of the Republic to become part of the Federal Council of Public Education, which shall sit in the capital during the month of November each year.

ART. 32. The duties of the Federal Council of Public Education shall be:

(1) To discuss means of developing and improving public instruction in Mexico, adopting measures which, where approved by the Federal Department of Public Education, shall be binding throughout the Republic;

(2) To discuss the unification and uniformity of school programs and plans throughout the country;

(3) To discuss and express their views on the suggestions made by the Department of Public Education to promote and develop education throughout the Republic.

ART. 33. In order to effect unity of action, members of the Federal Council of Public Education may submit reports so that the corresponding department may take them into consideration in making decisions on matters recommended to it for action. Only, in measures relating to the investment of funds of the Federal Government for the development of education in the States, it shall be necessary that the majority of the councilors approve of the project in general terms before the Department of Public Education shall feel itself authorized to go ahead.

ART. 34. The period of the sessions of the Council of Education shall not exceed the month fixed by the present law and except for the purposes specially named in the text of this law the Council shall have the character merely of a consulting body for unifying methods and programs, so as to guide the action of the Department in public educational matters.

CHAPTER IX

Plants Which Exist in the States

ART. 35. The States of the Republic shall organize their system of schools in such a way that they shall be adapted to the Councils of Education which may be established by virtue of the present law. They shall see to it that in the briefest possible time the supreme authority in matters of education in each State shall be placed in the hands of the Council of Education, organized as directed by the present law.

ART. 36. Educational institutions, whether public or private, actually in operation in the States, shall continue to exist as heretofore, and the Department of Public Education shall bear only such a relation toward them as may be voluntarily agreed upon by those interested. The action of the department shall never tend to put such institutions out of business, but only to develop and improve them.

ART. 37. The various States of the Republic shall continue to contribute, as heretofore, to all the needs of public education, and the Federal Government shall merely assist them as much as possible and in conformity with the plans agreed upon between the department and the Federal Council of Education, for the development of the institutions in the States. The Federal Government shall have direct charge of the establishments which it may found with its own funds, such as schools for Indians, rural schools, industrial schools, universities, museums, libraries, academies of art, conservatories, etc., with the exceptions designated in this law.

ART. 38. Should there be established in any State of the Republic a new educational institution made up partly of elements supplied by the Federal Government and partly by the community, the Department of Public Education shall arrange with the council of education of the State the degree of control of the federal powers and the local powers in the management of the new institution.

CHAPTER X

General Provisions

ART. 39. Points not foreseen by this law, which refer to education, shall be decided by the Department of Public Education and all other administrative functions, or any other kind, not assigned in the present law to any given institution, shall be performed by the Federal Department of Public Education.

ART. 40. All laws and previous decrees relative to public education contrary to the precepts of this law, and the regulations arising from it, are hereby repealed.

PROVISIONAL DECREES

ART. 1. Pending the establishment of the institutions referred to in the present law, all institutions in all parts of the Republic shall continue to exist under their own regulations.

ART. 2. In order to establish the Federal Department of Public Education, and so that education may immediately receive the impulse which it needs, the Executive of the Union is granted extraordinary powers to prepare the budgets of the new department and to dispose of a sum up to $15,000,000,* besides the ordinary budgets granted heretofore for public education, the Executive being obliged to render an accounting of the use made of these powers.

Mexican Land Reform

THE projected Agrarian Law, printed below, fixing the methods by which rural estates in Mexico are to be distributed, is an embodiment of the ideas expressed by the President-elect, General Alvaro Obregon, in a recent discussion with a group of Deputies. The project has been sent to the Chamber of Deputies for study and discussion.

Considering that the time has come for carrying out just revolutionary desires, including an agrarian law, for the effective improvement of the land, for the abolition of the political and economic slavery of our proletariat, and for the subsequent attainment of peace and harmony in Mexico;

* $7,500,000 in American money.

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Considering that, although the native soil is capable of providing the necessities of life for more than ten million inhabitants, and although it can furnish the foundation for a strong and progressive nation, its scanty population live subject to extreme poverty and constitute an undeveloped citizenship, weak, anarchistic, and a constant menace to the nation, all because of the monopoly of the land, which impedes its cultivation and discourages the utilization of its fertility. In fact, this complete monopoly of the native soil has been responsible for the enormous extent of the unimproved land, which can be estimated, without exaggeration, at 90 per cent of the territory in the Republic suitable for agricultural purposes. Such a state of affairs was the cause of the amortization of church property during the reform period, and would at present amply justify a similar measure in favor of the rural and city proletariat, which lacks property of any kind, and which is eager to use and reap the benefits from even a small part of the land which legally belongs to it;

Considering that the fraternal union of all Mexicans and the rule of a true democracy cannot be realized while the majority of the population is economically dependent upon the privileged minority, which has monopolized the land and which, whenever it gives wages to the needy, imposes its will as the only law;

Considering that, whatever may be the ideas expressed concerning social justice and the rights of man, his inherent and inalienable right to the land for its cultivation and for the enjoyment of the whole product of his labor must be recognized, since the soil which sustains him constitutes the natural field for his productive activity and the sole origin of all wealth, both for the elements most essential to his subsistence and for the raw materials of industry. Such being the case, the privileges which the law grants to the monopolists of national territory can reach such a point, in accordance with these same laws, as to bring absolute privation to those who lack such privileges; and even though such an extreme situation has not arisen as yet, there is no doubt that as long as the present state of rural proprietorship remains unchanged the workers will be faced by the imperative necessity of accepting the conditions imposed upon them in exchange for permission to use the land which is absolutely necessary for their existence;

Considering that the majority of our land-owners have taken no interest in the development of agriculture and have persisted in retaining antiquated methods of cultivation, thus disqualifying themselves for the struggle for commercial advantage; and that, since it is an obligation of the state to secure by any direct or indirect methods within its reach the progress of national agriculture, which is one of the principal sources of wealth, it is therefore not desired that the present law should unjustly dismember large estates using modern methods of cultivation and constituting true indivisible agricultural units and schools of constant encouragement to determine eventually the development of our crude agricultural system;

Considering that, in order to realize the rights which this law recognizes for all Mexicans, it should institute rapid methods and practices worthy of the just aims of the Government, not only for giving land to all those who desire it for the fulfilment of their needs, but also to attend to and indemnify those affected by the expropriation;

Guided by the preceding considerations, and by the sincere conviction that they are, on the whole, in accordance with the ideals which have inspired the revolutionists of good faith, and those who, even though they have taken no part in the armed conflict, ardently desire the well-being and prosperity of the Republic, the undersigned has the honor to submit for the approval of the Congress the following

Agrarian Law

General Provisions

Article 1. The Government recognizes the inalienable and inherent right of every man to possess and cultivate for himself a piece of land, which, with reasonable care, shall be sufficient to satisfy his personal needs and those of his family.

Art. 2. Therefore, in order to realize this right, there will be expropriated to the necessary extent and in accordance with the provisions of this law the following lands: (a) rural estates; (b) land held uncultivated for the past five years; (c) land cultivated by methods which are judged crude and antiquated by the Secretary of Agriculture.

Art. 3. Rural lands which have established modern methods of cultivation, sufficient in the judgment of the Secretary of Agriculture to be characterized as agricultural units, will not be expropriated.

Art. 4. The extent of the land granted to each individual cannot be less than five hectares, nor more than twenty.

Art. 5. Parcels of land cannot be granted for the purpose of contracts, bargain, sale, mortgage, profit, or for any other purpose which limits the use of the property, nor can they even be attached. The customs already established will exist, but modified in accordance with the terms of the law.

Art. 6. The rights which this law concedes to those who have been granted parcels of land become void by lack of cultivation of the land for one year.

Art. 7. The local agrarian commissions are empowered to receive and transfer, and the National Agrarian Commission shall make decisions regarding, the petitions of those who are interested in taking advantage of the rights which this law grants; the latter shall determine upon, and request the Executive for, the expropriation of the land needed for the development and improvement of small property.

The Grantees

Art. 8. The rights which this law concedes can only be exercised by Mexican citizens, by birth or naturalization, with full civil rights.

Art. 9. The law excludes from its benefits those Mexicans who own land amounting to more than twenty hectares.

Art. 10. Those receiving grants must first give proof of habits of industry and of the ability necessary for cultivating the land.

Art. 11. Other things being equal, preference must be given to those living in the immediate vicinity of the land in question rather than to outsiders, and to married men rather than bachelors. Among those living in the vicinity, the tenants, copartners, and peasants of the land to be shared will have preference. Elderly Mexican women and widows will also have the right to acquire pieces of land for their own benefit and not for the benefit of other persons.

Art. 12. Each grantee will be entitled only to the amount of land granted him.

Art. 13. For all legal purposes it is considered that the parcels form indivisible property; and in the same way, in cases of hereditary succession, must be granted to a single heir designated by mutual consent of all the coheirs. If such a selection is not made out of court within four months, the judge of the proceedings will make a public decision.

Art. 14. The grantees will work their land with entire freedom, making those improvements which seem most convenient, and which they judge most adequate; and only when the exploitation of the forests and the use of water are involved, must they be subject to the respective laws.

Art. 15. The right to the parcels of land is perpetual and inviolate, without restrictions other than those established in harmony with the public interest; but in cases where the grantee neglects the cultivation of his plot for a year, his rights become void. He is permitted, however, to retain the profits which he has realized.

Art. 16. By the single act of occupation of lands, by means of judicial order or consent of the owner, on the part of the local agrarian commissions, claims of the public treasury against expropriated lands will be completely annulled, whether they be imposts or taxes or whether they have their origin in the laws of amortization, nationalization, waste land, or any other

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matter affecting rural property, with the single exception of the right of eminent domain which belongs to the nation and which can never be renounced.

ART. 17. Contracts of any kind, real or implied, will be held as non-existent in so far as they prevent operation of the present law. However, those who have made contracts in good faith will be indemnified out of profits already made, and will have the right to levy from the harvests of the land in question, if planted by them. The tenants may demand a proportionate decrease in the rent named in their respective contracts with the owners.

ART. 18. Those who had claimed possession of their plots by the action stated in Art. 33 of this law will not be troubled by judgments of recovery, nor by the exercise of possessory actions founded in cases begun prior to the enactment of the same article; and its presentation will render the judgment void.

ART. 19. The price paid by the grantee for his plot will be the same as that which the nation will have to pay to those expropriated, plus 5 per cent for organization and distribution; the grantee will pay this price in twenty annual instalments, which will begin on the day he takes possession of the land.

ART. 20. Owners of seized land must be recompensed for the value of their land as set forth in the official real estate records, plus 10 per cent increase.

ART. 21. When the records fail to contain data concerning the value of the land in question, a special appraisement of the property subject to expropriation will be made by the engineers of the local agrarian commission in the federal district or territory, according to circumstances.

ART. 22. Payment must be made with bonds of the National Agrarian Debt, payable twenty years from date, in annual instalments which refund capital and interest. The interest will in no case exceed 5 per cent yearly.

ART. 23. On payments of the said bonds issued in favor of the proprietors the revenues from the expropriated lands will be subject to charge as payment to the nation. The funds, which constitute a guaranty, cannot be converted by the Government.

ART. 24. In case of expropriation the owners of land must present their titles and plans for examination by the local agrarian commission of the corresponding federal district or territory. They are also to present a certificate showing the official value of the lands, with the value, per hectare, of each of the various kinds of soil constituting these lands.

ART. 25. The proprietors who attempt to obstruct the operation of the present law by legal evasions, or by methods manifestly contrary to law, will pay a sum equal to 10 per cent of the official value of the property in dispute. Those who take up arms contrary to the constitutional government of the Republic, or to the local authorities, to provoke, aid, or incite the rebellion of others; or who in any violent manner pretend to obstruct the initiation of the agrarian reform, will lose their citizenship for ten years, and will pay to the national treasury a sum equal to 20 per cent of the value of the lands concerned in the judgment. Those who, with the same object, provoke foreign intervention, or who in any other way seek the support of foreign governments or aliens in order to exert diplomatic, military, or economic pressure upon the people or Government of Mexico, will be deprived of their citizenship, and will pay a sum equal to 40 per cent of the value of their property. The Federal Ministry will bring up before competent courts the penal action in accordance with this article, without interfering with the expropriation proceedings.

Procedure

ART. 26. When expropriation of land proceeds according to this law, the owners must state within ten days whether they agree to the decision or formally oppose it. If after this time has elapsed no contest has been made they will be obliged to conform, and the case will consequently proceed.

ART. 27. In case of opposition, the dispute will be submitted to federal courts, which should make decisions by summary proceedings, thus preventing delays which might cause serious damage to the operation of the Agrarian Law.

ART. 28. As soon as it has been decided that lands are to be occupied, whether because of consent of the owners, expressed or understood, or by judicial order, the local agrarian commission will take possession of them, and will proceed to fix the location and boundaries of the parcels according to the following regulations:

a. A plan of each plot will be made, showing its exact size and boundaries, for registry in the official records.

b. As far as the topography of the land permits, a regular and uniform demarcation will be given to the parcels of land.

c. The boundaries will be exactly fixed.

d. No plots shall be penetrated to provide access to the public highway, avoiding as far as possible questions of right of way.

e. Each plot shall have its drain to public canals and aqueducts.

f. The plots shall be numbered consecutively, according to the manner in which the title was given to the grantees; plots designated as "Parcel number —— of the real estate called ——, Municipality of ——, Federal District or Territory ——." Without affecting this arrangement, grantees may give their plots whatever name they wish.

ART. 29. In order to fix in each location the size of the plot which must serve as a basis for decisions, the following considerations will be taken into account:

a. The size of the plots should be inversely proportional to the value of the land of which they are composed; computing this value as much by the intrinsic quality of the soil as by the location with respect to the highways of traffic and the consuming centers.

b. On this basis, and keeping in mind the maximum and minimum limits indicated by the present law, the area of the parcels should be sufficient to maintain a farmer with his family, permitting in addition the accumulation of small savings in order to pay for the land and to face future difficulties.

ART. 30. Knowing the official value of the parcel from the standpoint of expropriation, or valued according to the terms of the law when official values are missing, payment to the proprietors will be made as below, the following preferential debts having been deducted:

a. Taxes must be paid to the national treasury.

b. To hypothecary creditors and those to whom reparations are due, a part proportional to their credits must be paid, preference given according to their registry. For this purpose creditors will be obliged to divide with those owing them.

ART. 31. When owners of lands refuse to accept the price determined upon, and when persons to whom mortgages and reparations are due will not accept payment of their credits, the bonds will remain at the disposition of the national treasurer for one year, at the end of which time they will lose all right to claims.

ART. 32. When the lands to be allotted are waste lands or government territory, the price will be that fixed by the tariff approved by the Secretary of Agriculture, to be paid by the Government with agrarian bonds.

ART. 33. When the owner consents to the expropriation, or when judicial decision results, the local agrarian commissions must give the parcel to the beneficiary with an exact statement of its boundaries. In connection with this proceeding, which will be equivalent to legal possession, there should be a certificate signed by all those in agreement, an authorized copy of which will be given to the interested party, to serve as a guaranty.

ART. 34. The adjudicated titles of the plots must be signed by the Secretary of Agriculture, in his capacity as president of the National Agrarian Commission, and by those interested. As long as the price of the plot is not entirely paid to the nation, the title for the respective property will not be given over.

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Further Regulations

1. This law will take effect from the date of its promulgation.
2. All laws and regulations which are contrary to the present law are repealed.
3. The National Agrarian Commission, by means of circulars, will adopt by-laws whenever necessary.

[Signed] ALVARO OBREGON

Mexico, December 1, 1920

A Protest from "Æ"

THE list of reprisals on cooperative creameries printed in the appendix to the report of the British Labor Commission to Ireland, has been made the basis of the following earnest demand by George W. Russell, "Æ," for a public inquiry into these reprisals and attacks. Mr. Russell is one of the leaders of the cooperative movement in Ireland.

I do not know if the doctrine of reprisals has been accepted by the British people as an essential part of their scheme of justice to be applied when more traditional methods have broken down. I have no legal guidance and can only speak from a layman's knowledge of the application of the policy of reprisals as I have watched it in operation in Ireland and in relation to one movement. I write, choosing my words with the greatest care, trying to explain the working of this new doctrine of justice which has been openly avowed and defended by ministers of the Crown. Human nature is imperfect, as we too well know, and there are few who have not seen how often a man made angry by real or imaginary grievances will, while his anger lasts, make life a hell for those about him, persons who may be unconnected with the cause of his anger or unable to remove it. The man wants to make somebody suffer because he suffers; and if he is unable to get at the real offender he may beat his wife and children or pick a quarrel with the first person he meets. Our moral being is revolted when we see this spirit in the individual. How much more should we dread any extension of this spirit to government, lest it set in motion the vast organizations and physical forces under its control? That spirit has for months past dominated the Irish administration. The armed forces of the Crown, unable to capture those guilty of offenses against it, have burned down factories, creameries, mills, stores, barns, and private dwelling-houses. How one Irish movement, economic and non-political in character, has been affected may be seen in the statement following what is here written.

The cooperative movement in Ireland has gained world-wide recognition as one of the sanest and most beneficent of national movements. Its membership includes men of all parties and creeds in Ireland, and it is as popular and widely-spread in Ulster as in other provinces. Its constitution and the rules of its societies forbade the discussion of political and sectarian matters. On this basis many thousands of Unionists were able to join with their Nationalist fellow-countrymen in an All-Ireland movement for their mutual benefit. Over one thousand societies have been created with an annual turnover now exceeding eleven million pounds. The creameries, bacon factories, mills, and agricultural stores created by cooperative societies are a familiar feature in the Irish countryside. Up to the moment of writing forty-two attacks have been made on cooperative societies and it is alleged that these attacks were made by the armed forces of the Crown. In these attacks creameries and mills have been burned to the ground, their machinery wrecked; agricultural stores have also been burned, property looted, employees have been killed, wounded, beaten, threatened, or otherwise ill-treated. Why have these economic organizations been specially attacked? Because they have hundreds of members, and if barracks have been burned or police have been killed or wounded in the lamentable strife now being waged in Ireland, and if the armed forces of the Crown cannot capture those actually guilty of the offenses, the policy of reprisals, condoned by the spokesmen of the Government, has led to the wrecking of any enterprise in the neighborhood the destruction of which would inflict widespread injury and hurt the interests of the greatest number of people. I say this has been done without regard to the innocence or guilt of the persons whose property is attacked. It is not only wicked this indiscriminate justice, but it is the most foolish of all policies if its object be to make people cling to the donor of the justice so dispensed. Every innocent person whose property is attacked, whatever were his political feelings before, becomes naturally an antagonist to the power which has injured him.

In two cases it has been alleged that cooperative creameries were used as a basis of attacks on military or police. These exceptions are the Newport and Ballymacelligott societies. It was stated by General Rycroft, of course on the report of some subordinate, that shots were fired from the Newport Creamery on a party of soldiers. The Irish Agricultural Organization Society was most anxious to get at the truth of these charges, which involved a violation of the non-political character of the associations it created. Sir Horace Plunkett investigated the case on the spot, seeing witnesses and attending the Quarter Sessions when the case was heard. Before this a claim for compensation under the Malicious Injuries Acts was made by the Newport Society. General Rycroft was informed that the claim was to be considered by the county court judge and the military authorities were asked to give evidence. They did not summon any witnesses. They did not employ counsel to cross-examine the society's witnesses. They actually withdrew from the district the soldiers who were implicated in the attack. I believe this was done because on deliberation it was found that the charge of shooting from the creamery could not be sustained. The second case, that of Ballymacelligott, has been given wide publicity by the Chief Secretary. Most careful inquiries have been made by the Irish Agricultural Organization Society, and from a study of the affidavits made by eye-witnesses I am convinced the statement made by Sir Hamar Greenwood, on what authority I know not, is a travesty of the facts; that there was no ambush at the creamery, but there was a most wanton attack by the armed forces of the Crown on employees of the society and others present during the normal working of the creamery. In this attack two men were killed and two wounded. It may be said my denial is of no more value than Sir Hamar Greenwood's affirmation. Be it so. It brings me to the purpose of this article, which is to demand, on behalf of the Irish cooperative movement, an open and impartial inquiry into these attacks on cooperative societies. We cooperators have nothing to fear from the result of such investigation. The Government may have, for it has hitherto refused to set up any tribunal to inquire into the wreckings. I believe refusal was made because the Government knows only too well the outcry which would follow an exposure of the horrors which have taken place in Ireland, to which thousands of witnesses of high character could testify. I appeal from the British Government to the British people. I appeal to their sense of fair play and justice to judge between Irish cooperators and the Government. We charge certain unknown agents of the Crown with indiscriminate wreckings and burnings of our societies. The Chief Secretary retorts by saying they are centers of revolutionary propaganda. Let him prove his charge if he has evidence. We declare we have nothing to fear from any investigation. The whole character and repute of our movement is involved. If our defense breaks down, a long and honorable record is broken and our character is ruined. Knowing all this, we press for the fullest and most public inquiry.

The Government stands charged, through the acts of its agents, with arson, with the wrecking of property and the

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ill-treatment of Irish citizens, without due trial by processes of law. It shrinks from publicity. It refuses open inquiry. We ask for investigation. The Government denies it. Which shows the worse conscience? Which behaves as the guilty party?

The leaders of the cooperative movement in Ireland, Sir Horace Plunkett, Lord Monteagle, the Rev. Thomas Finlay, and Mr. R. A. Anderson, are publicists whose character and work have been known for over a quarter of a century. Are they men likely to make irresponsible or unfounded accusations, men with long and honorable careers of public service behind them? They, I assert, are men of honor with a knowledge of Ireland a thousand times greater than the Chief Secretary could possibly have, a knowledge gained by lives spent in philanthropic work. When such men ask for open inquiry public opinion in Great Britain, if there be any sense of justice there, would insist on this being granted. It cannot allow the fountain of justice to lie under the imputation of being fouled. What is being done in Ireland today may be done in Great Britain tomorrow.

On behalf of the Irish cooperative movement I demand the setting up of an impartial tribunal to investigate the illegal destruction of cooperative property by the armed forces of the Crown. I claim for these societies full compensation out of Crown funds for the property destroyed if the charge is proved. It is futile saying there are county courts and that claims can be made there under the Malicious Injuries Act. That act was never intended to lay upon the ratepayers in any district the burden of compensation for property wrecked by the forces of the Crown. No County Council will levy a rate to compensate persons where property has been destroyed by those whose ostensible reason for employment by the Crown is the defense of life and property. The Irish Agricultural Organization Society has indeed urged its societies to make claims under the act before the judges in the county courts, not in the belief that the compensation awarded would be levied by the county council or paid by the ratepayers, but because by doing so sworn evidence about the cause of the wreckings was available. On this sworn evidence county court judges have already assessed damages and one of them declared the Crown ought to compensate for the acts of its agents, as it did in Fermoy.

The actual injury inflicted on the cooperative movement and the property of poor farmers is estimated by experts to be between £250,000 and £300,000, while the annual trade disturbed is almost £1,000,000. I say if the British people, because of their natural anger over the shooting of police and soldiers condone without inquiry indiscriminate vengeance inflicted on persons and movements which are innocent they will lay up a hell for themselves in their own country. They will be tearing up all the safeguards of justice won through centuries of struggle, and there are too many interests minatory to democracy in power to allow them the advantage of such precedents. If we trust the judges and the courts the Government should not fear to do so. Do not trust those who are afraid of courts of inquiry and who, to every demand for justice, respond by attempts to excite hate and rage among the people. It may be we Irish are scoundrels, but if we are let us be tried openly for our crimes and not penalized without trial either by order of the Secret Service or without orders by military or police forces out of hand. I ask for the Irish Agricultural Organization Society the support of all fair-minded men in order that it may get the public inquiry it demands. Do not let a great movement which has hitherto won praise from all parties in the state and from visitors all over the world be condemned to destruction on the word of a man whose sole personal knowledge of Ireland is derived from brief visits, protected by the military, to Dublin Castle, and whose sole source of information about the matters in dispute is the word of the persons who are charged with committing the crimes.

GEORGE W. RUSSELL ("Æ")

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A Good Resolution for the New Year

MAKE YOUR WILL

It is a duty you owe your family. If you do not make a will and your property is distributed under the statutes each beneficiary if of age will have full control over his or her share. He or she may be and probably is without experience in making investments or in business matters. Think of the danger to such a person through bad investments or extravagance, of being left destitute.

MAKE YOUR WILL

Do not delay. You may put it off too long. If you make a will you can insure an income to your heirs for their lives by creating Trust Funds in their favor and naming a responsible Trustee to administer these funds.

MAKE YOUR WILL

Send for our booklet "Wills, Executors and Trustees" containing valuable information on these subjects.

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